INTERNET FORM NLRB-501 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 20-CA-252802	Date Filed 12/03/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the Region in which the alleged unfair labor practice occurred or is occurring

	ST WHOM CHARGE IS BROUGHT	
a. Name of Employer		b. Tel. No. 650-440-8301
Google Inc.		c. Cell No. 212-565-4124
2 - 1		f. Fax No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	g. e-Mail Enaughton@google.com
345 Spear St., San Francisco, CA 94105 1600 Amphitheater Parkway, Mountain View, CA 9404	Eileen Naughton	h. Number of workers employed 100,000+
Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products	
k. The above-named employer has engaged in and is en and (list subsections) and of the National Labor within the meaning of the Act, or these unfair labor practic	Relations Act, and these unfair labor practices a	are practices affecting commerce
In the past six months, the above-referenced Employer has The employer has also unlawfully interrogated (b) (6), (b) (7)(c) concerted activity for mutual aid and protection. 3. Full name of party filing charge (if labor organization, (b) (6), (b) (7)(C)	about communications ^[516] had with an employed	ee who was engaged in protected,
		·/
4a. Address (Street and number, city, state, and ZIP code	e)	4b. Tel. No.
	e).	
4a. Address (Street and number, city, state, and ZIP code	э).	4b, Tel, No. 4c. Cell No. (b) (6), (b) (7)(C)
4a. Address (Street and number, city, state, and ZIP code	e)	4b. Tel. No.
4a. Address (Street and number, city, state, and ZIP code		4b. Tel. No. 4c. Cell No. (b) (6), (b) (7)(C) 4d. Fax No. 4e. e-Mail (b) (6), (b) (7)(C)
4a. Address (Street and number, city, state, and ZIP code (b) (6), (b) (7)(C) 5. Full name of national or international labor organization filed by a labor organization)	n of which it is an affiliate or constituent unit <i>(to</i>)	4b, Tel, No. 4c. Cell No. (b) (6), (b) (7)(c) 4d. Fax No. 4e. e-Mail (b) (6), (b) (7)(C) be filled in when charge is
4a. Address (Street and number, city, state, and ZIP code (b) (6), (b) (7)(C) 5. Full name of national or international labor organization filed by a labor organization) 6. DECLARATION I declare that I have read the above charge and that the states	n of which it is an affiliate or constituent unit <i>(to</i>)	4b. Tel. No. 4c. Cell No. (b) (6), (b) (7)(C) 4d. Fax No. 4e. e-Mail (b) (6), (b) (7)(C)
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4a. Address (Street and number, city, state, and ZIP code (b) (6), (b) (7)(C) 5. Full name of national or international labor organization filed by a labor organization) 6. DECLARATION I declare that I have read the above charge and that the states	n of which it is an affiliate or constituent unit <i>(to)</i> N nents are true to the best of my knowledge	4b. Tel. No. 4c. Cell No. (b) (6). (b) (7)(c) 4d. Fax No. 4e. e-Mail (b) (6), (b) (7)(C) be filled in when charge is Tel. No.510-337-1001 Office, if any, Cell No. Fax No. 510-337-1023 e-Mail
4a. Address (Street and number, city, state, and ZIP code (b) (6), (b) (7)(C) 5. Full name of national or international labor organization filed by a labor organization) 6. DECLARATION I declare that I have read the above charge and that the statem and belief. By	n of which it is an affiliate or constituent unit <i>(to)</i> N nents are true to the best of my knowledge David W. M. Fujimoto, Attorney	4b. Tel. No. 4c. Cell No. (b) (6). (b) (7)(c) 4d. Fax No. 4e. e-Mail (b) (6), (b) (7)(C) be filled in when charge is Tel. No. 510-337-1001 Office, if any, Cell No. Fax No. 510-337-1023

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

1\1058422





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 4, 2019

Eileen Naughton, Employer Representative Google Inc. 345 Spear Street San Francisco CA 94105

Re: Google, Inc.

Case 20-CA-252802

Dear Ms. Naughton:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Die H. Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

cc: Eileen Naughton, Employer Representative
 Google Inc.
 1600 Amphitheater Parkway
 Mountain View CA 94043

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

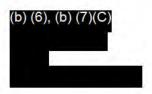
GOOGLE, INC.	
Charged Party	
and	Case 20-CA-252802
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE	AGAINST EMPLOYER
	Labor Relations Board, state under oath that on document(s) by post-paid regular mail upon the ollowing addresses:
Eileen Naughton, Employer Representative	Eileen Naughton, Employer Representative
Google Inc. 345 Spear Street	Google Inc. 1600 Amphitheater Parkway
San Francisco CA 94105	Mountain View CA 94043
December 4, 2010	Canalina Daylon Dagionata d Apost a fall DD
December 4, 2019 Date	Caroline Barker, Designated Agent of NLRB Name
Date	name
	/s/ Caroline Barker
	Signature





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 4, 2019



Re: Google, Inc.

Case 20-CA-252802

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on December 03, 2019 has been docketed as case number 20-CA-252802. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Deu H. Coffman

cc: David W.M. Fujimoto
Weinberg Roger & Rosenfeld
1001 Marina Village Pkwy
Suite 200
Alameda CA 94501

Google, Inc.	
Charged Party	
and	CASE 20-CA-252802
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
HE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT.	IVE OF
N THE ABOVE-CAPTIONED MATTER.	
THECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO ERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN OX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WOOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTASEHANDLING MANUAL.	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFORM	MATION)
NAME: J. Al Latham, Jr., and Cameron W, Fox of Paul Hasting	s LLP
MAILING ADDRESS: 515 S. Flower Street, 25th Floor, Los Angel	es, CA 90071
E-MAIL ADDRESS: allatham@paulhastings.com; cameronfox@p	aulhastings.com
OFFICE TELEPHONE NUMBER: (213) 683-6319; (213) 683-6301	
CELL PHONE NUMBER:	FAX: (213) 627-0705
SIGNATURE: Of Total (Please sign in ink.)	Come on W/4

 $^{^1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

Google, Inc.	1
Charged Party	
and	CASE 20-CA-252802
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20576
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	IVE OF
N THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WOOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS.	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN
ASEHANDLING MANUAL.	
(REPRESENTATIVE INFORM	MATTON)
NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP	INC.
MAILING ADDRESS: 200 Park Avenue, New York, New York 101	100
E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@pa	aulhastings.com
OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822	
CELL PHONE NUMBER: 952-240 4558	FAX: (212) 319-4090
Que at the st	FAX: (212) 319-4090

 $^{^{\}rm I}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

Alphabet Inc. and Google, single employer	
and (b) (6), (b) (7)(C)	CASE 20-CA-252802
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT (b) (6), (b) (7)(C)	IVE OF
IN THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY VIDOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN CASEHANDLING MANUAL.	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFOR	MATION)
NAME: Laurie M. Burgess, Esq.	
MAILING ADDRESS: Messing Adam & Jasmine, 235 Montgomer	y Street, #828, San Francisco, CA 94104
E-MAIL ADDRESS: laurie@majlabor.com	
OFFICE TELEPHONE NUMBER: 415-266-1817	
CELL PHONE NUMBER: 312-320-1718	_{FAX:} 415-266-1128
SIGNATURE: (Please sign in ink.) DATE: December 1, 2020	

 $^{^{1}}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

FIRST AMENDED CHARGE AGAINST EMPLOYER

IN THIS SPACE
Date Filed 12-1-2020

INSTRUCTIONS:

1. EMPL	LOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer		b. Tel. No.
Alphabet Inc. and Google, single employer		(415) 736-0000
ripinioet inc. una Google, single employer		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	
345 Spear Street	Sundar Pichai	g. e-mail sundar@google.com
San Francisco, CA 94105	Stilidal I Ichai	stilidar@googie.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service	
Technology Company	Internet-related services and products	
The above-named employer has engaged in and is engaged	ging in unfair labor practices within the meaning of se	ction 8(a), subsections (1) and
(list subsections) 8(a)(3)	of the National Lab	oor Relations Act, and thest unfairlabor
practices are practices affecting commerce within the me	aning of the Act, or these unfair labor practices affecting	ng commerce within the meaning of
the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise state	ement of the facts constituting the alleged unfair labor	practices)
six-month "readability" review by management in interrogated (b)(6), (b)(7)(C) about communications	retaliation for exercising Section 7 rights. The had with employees who engaged in protected	employer has also unlawfully I, concerted activity for mutual aid and
six-month "readability" review by management in interrogated (b) (6). (b) (7)(C) about communications protection.	retaliation for exercising Section 7 rights. The had with employees who engaged in protected had with employees who engaged in protected give full name, including local name and number)	employer has also unlawfully I, concerted activity for mutual aid and
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 2, 2020

Eileen Naughton, Employer Representative Google Inc. 345 Spear Street San Francisco CA 94105

Re: Google, LLC and Alphabet Inc.

a single employer Case 20-CA-252802

Dear Ms. Naughton:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

Case 20-CA-252802

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

JILL H. COFFMAN Regional Director

Enclosure: Copy of first amended charge

cc: Eileen Naughton, Employer Representative Google Inc.

1600 Amphitheater Parkway Mountain View CA 94043

Brian Hayes, Attorney Paul Hastings LLP 200 Park Avenue New York NY 10166 Sara Kalis, Attorney Paul Hastings LLP 200 Park Avenue New York NY 10166

Das H. Coffman

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

GOOGLE INC.	
Charged Party	
and	Case 20-CA-252802
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF FIRST AM	ENDED CHARGE AGAINST EMPLOYER
	Labor Relations Board, being duly sworn, say that entitled document(s) by regular mail upon the llowing addresses:
Eileen Naughton, Employer Representative	Eileen Naughton, Employer Representative
Google Inc.	Google Inc.
345 Spear Street San Francisco CA 94105	1600 Amphitheater Parkway Mountain View CA 94043
San Francisco CA 94103	Modifiant view CA 94043
Sara Kalis, Attorney	Brian Hayes, Attorney
Paul Hastings LLP	Paul Hastings LLP
200 Park Avenue	200 Park Avenue
New York NY 10166	New York NY 10166
December 2, 2020	Caroline Barker, Designated Agent of NLRB
Date	Name

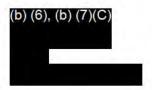
/s/ Caroline Barker Signature



Download

REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 2, 2020



Re: Google, LLC and Alphabet Inc. a single employer Case 20-CA-252802

Dear (b) (6), (b) (7)(C)

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Case 20-CA-252802

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

JILL H. COFFMAN Regional Director

Die H. Coffman

cc: Laurie M. Burgess, Counsel
Messing Adam & Jasmine LLP
235 Montgomery Street
Suite 828
San Francisco CA 94104

INTERNET FORM NLRB-501 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case 20-CA-252902

Date Filed 12/05/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which	h the alleged unfair labor practice occurred or is occu R AGAINST WHOM CHARGE IS BROUGHT	rring.
a. Name of Employer Google LLC	CASAINST WHOM CHARGE IS BROSSIT	b. Tel. No. (b) (6), (b) (7)(C) c. Cell No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	f. Fax No.
345 Spear St.		g. e-Mail
CA San Francisco 94105		h. Number of workers employed 100000
Type of Establishment (factory, mine, wholesaler, etc.) Technology	j. Identify principal product or service Internet related services and products	
 k. The above-named employer has engaged in and is engaging subsections) practices are practices affecting commerce within the mean within the meaning of the Act and the Postal Reorganization 	of the National La	abor Relations Act, and these unfair labor
3. Full name of party filing charge (if labor organization, give [b) (6) (b) (7)(6) Title:	full name, including local name and number)	
(b) (6), (b) (7)(C) Title: 4a. Address (Street and number, city, state, and ZIP code)		4b. Tel. No.
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C) 4c. Cell No.
		4d. Fax No.
Full name of national or international labor organization of		4e. e-Mail
organization)	f which it is an affiliate or constituent unit (to be fille	(b) (6), (b) (7)(C)
6. DECLARATION I declare that I have read the above charge and that the statement	ON	(b) (6), (b) (7)(C)
6. DECLARATION 1 declare that I have read the above charge and that the statement (b) (6), (b) (7)(C) B Tit	ON ents are true to the best of my knowledge and belief. (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) ed in when charge is filed by a labor Tel. No.
6. DECLARATION I declare that I have read the above charge and that the statement (b) (6), (b) (7)(C)	ON ents are true to the best of my knowledge and belief. (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) ed in when charge is filed by a labor Tel. No. (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages, hours, or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation	
(b) (6), (b) (7)(C)	Administrative leave	^{(b)(6),(b)(7)} /2019	





Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 6, 2019



REGION 20

901 Market Street, Suite 400

San Francisco, CA 94103-1738

Re: Google LLC

Case 20-CA-252902

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on December 05, 2019 has been docketed as case number 20-CA-252902. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Qualifying for Backpay: We are just beginning to investigate your charge and no decision has been made regarding the merits of your case. However, it is important that employees who might be entitled to backpay because of loss of employment understand their obligation to look for work in order to qualify for backpay if your case has merit. Accordingly, we urge you to promptly provide the Board agent with the names and addresses of all employees who might be entitled to backpay as a result of the charge you filed.

Google LLC Case 20-CA-252902

If backpay is due to an employee, the Board requires that the employee offset the backpay by promptly beginning to look for another job in the same or similar line of work. The Board has held that a reasonably diligent employee should begin searching for interim work within 2 weeks after the employee's termination or layoff or a refusal to hire the employee. If an employee cannot establish that he or she actively tried to mitigate his or her losses, the amount of money owed to the employee might be reduced.

Employees who might be owed backpay should keep careful records of when and where they have sought employment and of job search expenses such as mileage, parking, and copying resumes. Specifically, they should keep a record of each time they attempt to find work, including the date, name of the company, name of person with whom they spoke, the position sought, and the response received.

Very truly yours,

JILL H. COFFMAN Regional Director

Ju H. Coffman





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 6, 2019

Google LLC 345 Spear St. San Francisco, CA 94105

Re: Google LLC

Case 20-CA-252902

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Du H. Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

	NATIONAL LABOR REI	ATIONS BOARD			
QI	JESTIONNAIRE ON COMME	RCE INFORMATION			
Please read carefully, answer all applicable its	ems, and return to the NLRB Office. If add	itional space is required, please add a pa	ge and identify item number.		
CASE NAME		The state of the s	CASE NUMBER		
			20-CA-252902		
1. EXACT LEGAL TITLE OF ENTITY	(As filed with State and/or stated in leg	cal documents forming entity)			
2. TYPE OF ENTITY		753 W. W. W. W. W.	Acres de la companya della companya della companya de la companya della companya		
[] CORPORATION [] LLC []	LP [] PARTNERSHIP [] SO	LE PROPRIETORSHIP [] OTH	ER (Specify)		
3. IF A CORPORATION or LLC					
A. STATE OF INCORPORATION	B. NAME, ADDRESS, AND RELAT	IONSHIP (e.g. parent, subsidiary) OF A	ALL RELATED ENTITIES		
OR FORMATION					
4. IF AN LLC OR ANY TYPE OF PAR	TNERSHIP, FULL NAME AND ADD	RESS OF ALL MEMBERS OR PAR	TNERS		
5. IF A SOLE PROPRIETORSHIP, FU	LL NAME AND ADDRESS OF PROP	RIETOR			
6. BRIEFLY DESCRIBE THE NATUR	E OF YOUR OPERATIONS (Products	handled or manufactured, or nature of	services performed).		
7. A. PRINCIPAL LOCATION:	B. BRANCH I	OCATIONS.		_	_
7. A. TRINCIPAL LOCATION:	B. BRANCH I	OCATIONS.			
8. NUMBER OF PEOPLE PRESENTL					
A. Total:	B. At the address involved in this	0.001111	It in our i	_	V-
9. DURING THE MOST RECENT (Cho	ck appropriate box): CALENDAR	YR []12 MONTHS or []FISC	AL YR (FY dates	YES)
					NO
A. Did you provide services valued in	excess of \$50,000 directly to custon	ners outside your State? If no, indic	cate actual value.	ILU	NO
\$				ILS	NO
\$ B. If you answered no to 9A, did you p	provide services valued in excess of	\$50,000 to customers in your State	who purchased goods	ILO	NO
\$ B. If you answered no to 9A, did you particularly valued in excess of \$50,000 from decreases.		\$50,000 to customers in your State	who purchased goods	11.5	NO
\$ B. If you answered no to 9A, did you particularly valued in excess of \$50,000 from displayed in the second secon	provide services valued in excess of rectly outside your State? If no, ind	\$50,000 to customers in your State icate the value of any such servi	who purchased goods ces you provided.	ILS	NO
\$ B. If you answered no to 9A, did you particle valued in excess of \$50,000 from displayed. C. If you answered no to 9A and 9B, did you particle to the second sec	provide services valued in excess of rectly outside your State? If no, ind	\$50,000 to customers in your State icate the value of any such servicess of \$50,000 to public utilities, to	who purchased goods ces you provided.	ILS	NO
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

FIRST AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRIT	DO NOT WRITE IN THIS SPACE	
Case 20-CA-252902	Date Filed 12-1-2020	

1. El	MPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Alphabet Inc. and Google, single employer		b. Tel. No. (415) 736-0000
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	g. e-mail
345 Spear Street San Francisco, CA 94105	Sundar Pichai	sundar@google.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, e Technology Company	j. Identify principal product or service Internet-related services and products	
The above-named employer has engaged in and is en	ngaging in unfair labor practices within the meaning of sec	ction 8(a), subsections (1) and
(list subsections) 8(a)(3)		oor Relations Act, and thest unfairlabor
practices are practices affecting commerce within the the Act and the Postal Reorganization Act.	meaning of the Act, or these unfair labor practices affecting	ng commerce within the meaning of
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

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Addendum to NLRB FIRST AMENDED CHARGE AGAINST EMPLOYER filed by against:

Alphabet Inc. and Google, single employer

In the past six months, the above-referenced Employer has placed (b) (6), (b) (7)(C) on administrative leave, issued a final warning, and caused cell phone number to be terminated, in retaliation for exercising Section 7 rights.

The employer has also unlawfully interrogated (b) (6). (b) (7)(C) about communications had with an employee who was engaged in protected concerted activity for mutual aid and protection.





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 2, 2020

Eileen Naughton, Employer Representative Google Inc. 345 Spear Street San Francisco CA 94105

Re: Google, LLC an Alphabet Inc. a single employer

Case 20-CA-252902

Dear Ms. Naughton:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER; whose telephone number is (628)221-8873.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

Case 20-CA-252902

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

JILL H. COFFMAN Regional Director

Enclosure: Copy of first amended charge

cc: Sara Kalis, Attorney
Paul Hastings LLP
200 Park Ave
New York NY 10166-0005

Eileen Naughton, Employer Representative Google Inc. 1600 Amphitheater Parkway Mountain View CA 94043 Brian Hayes, Attorney Paul Hastings LLP 200 Park Avenue New York NY 10166

Jus H. Coffman

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

GOOGLE, LLC AND ALPHABET INC., A
SINGLE EMPLOYER

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 20-CA-252902

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on December 2, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Eileen Naughton, Employer Representative
Google Inc.

345 Spear Street
San Francisco CA 94105

Sara Kalis, Attorney
Paul Hastings LLP
200 Park Ave
New York NY 10166-0005

Brian Hayes, Attorney
Paul Hastings LLP
Google Inc.
200 Park Avenue
New York NY 10166
Eileen Naughton, Employer Representative
Google Inc.
1600 Amphitheater Parkway
Mountain View CA 94043

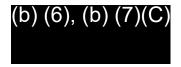
December 2, 2020	Caroline Barker, Designated Agent of NLRB
Date	Name
	// 2 11 5 1
	/s/ Caroline Barker
	Signature





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 2, 2020



Re: Google, LLC an Alphabet Inc. a single employer Case 20-CA-252902

Dear (b) (6), (b) (7)(C)

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER; whose telephone number is (628)221-8873.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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Case 20-CA-252902

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

JILL H. COFFMAN Regional Director

Ju H. Coffman

cc: Laurie M. Burgess, Counsel
Messing Adam & Jasmine LLP
235 Montgomery Street
Suite 828
San Francisco CA 94104

Google LLC	
Charged Party	
and .	Land to the second second
and	CASE 20-CA-252902
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	IVE OF
Google LLC	
N THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW:	
REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO ERROR TO ENSURE TO ERROR THE AGENCY IN OX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WOOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN	ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO ERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN OX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN TS AS DESCRIBED IN SEC. 11842.3 OF THE
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 $^{^{\}rm 1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

	_
Google LLC	
Charged Party	
and	CASE 20-CA-252902
REGIONAL DIRECTOR	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	IVE OF
Google LLC	
IN THE ABOVE-CAPTIONED MATTER.	
IN THE INDIVERSITIONED WITTER	
CHECK THE APPROPRIATE BOX(ES) BELOW:	
REPRESENTATIVE IS AN ATTORNEY	
IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY V DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN CASEHANDLING MANUAL.	ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFORM	MATION)
NAME: J. Al Latham, Jr., and Cameron W, Fox of Paul Hasting	is LLP
MAILING ADDRESS: 515 S. Flower Street, 25th Floor, Los Angel	_
E-MAIL ADDRESS: allatham@paulhastings.com; cameronfox@p	aulhastings.com
OFFICE TELEPHONE NUMBER: (213) 683-6319; (213) 683-6301	
CELL PHONE NUMBER:	_{FAX:} (213) 627-0705
SIGNATURE: Of Control of the Control	Comeron Wfox
DATE: December 9, 2019	

 $^{^{\}rm 1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

Alphabet Inc. and Google, single employer	
and	CASE 20-CA-252902
(b) (6), (b) (7)(C)	
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE ABOVE-CAPTIONED MATTER. The above and Google and (b) (6), (b) (7)(C)	IVE OF
HECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY	
IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO ERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN OX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN ASEHANDLING MANUAL. (REPRESENTATIVE INFORM	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN IS AS DESCRIBED IN SEC. 11842.3 OF THE
Laurie M. Burgess, Esq.	23 130 1 Ap
NAME:	y Street, #828, San Francisco, CA 94104
E-MAIL ADDRESS: laurie@majlabor.com	
OFFICE TELEPHONE NUMBER: 415-266-1817	
CELL PHONE NUMBER: 312-320-1718	_{FAX:} 415-266-1128
	_{FAX:} 415-266-1128

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
20-CA-252957

Date Filed
12/05/2019

INSTRUCTIONS:

a. Name of Employer	OYER AGAINST WHOM CHARGE IS BROUGHT	
Alphabet Inc. and Google, single and joint employ Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc	ers	b. Tel. No. 415-736-0000 c. Cell No. f. Fax. No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai	g. e-mail sundar@google.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products	
(list subsections) 8(a)(3) practices are practices affecting commerce within the mea the Act and the Postal Reorganization Act.		oor Relations Act, and thest unfair labor ing commerce within the meaning of
3. Full name of party filing charge (if labor organization, gi	ve full name, including local name and number)	
4a. Address (Street and number, city, state, and ZIP code, Jennifer Abruzzo 501 Third Street, N.W., Suite 800		4b. Tel. No. 202-434-1234 4c. Cell No.
3. Full name of party filing charge (if labor organization, gir Communications Workers of America, AFL-CIO 4a. Address (Street and number, city, state, and ZIP code, Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001		202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail
ta. Address (Street and number, city, state, and ZIP code, fennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001		202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org
ia. Address (Street and number, city, state, and ZIP code, fennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001 5. Full name of national or International labor organization 6. DECLA 1 declare that I have read the abov	of which it is an affiliate or constituent unit (to be filled RATION e charge and that the statements	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org
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4a. Address (Street and number, city, state, and ZIP code, Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001 5. Full name of national or international labor organization 6. DECLA I declare that I have read the abov	of which it is an affiliate or constituent unit <i>(to be filled</i> RATION e charge and that the statements y knowledge and belief.	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org t in when charge is filed by a labor organization) Tel. No. 415-266-1817

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the Information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Addendum to NLRB CHARGE AGAINST EMPLOYER filed by Communications Workers of America, AFL-CIO, against:

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc

Google, by and through its corporate leaders, including, but not limited to Sundar Pichai, CEO of Alphabet Inc. and Google; Larry Page, CEO of Alphabet Inc.; Sergey Brin, President of Alphabet Inc., has promulgated and maintained working conditions that Google employees are required to adhere to in its Code of Conduct, which ends with the statement:

"And remember ... don't be evil, and if you see something that you think isn't right - speak up!"

Google's above-referenced unlawful conduct flies in the face of its own aforementioned words in its Code of Conduct and stifles workers' ability to freely raise issues, to disagree with leadership, to organize, and to address aspects of Google's workplace interactions, product development, 'corporate citizenship,' and business practices. Its actions are the antithesis of the freedoms and transparency it publicly touts.





Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 6, 2019

Jennifer Abruzzo, Union Representative Communications Workers of America 501 Third Street North West Suite 800 Washington DC 20001-2797

901 Market Street, Suite 400

San Francisco, CA 94103-1738

REGION 20

Re: Alphabet Inc. and Google, single and joint employers

Sundar Pichai, CEO of Alphabet Inc. and Google

Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

Dear Ms. Abruzzo:

The charge that you filed in this case on December 05, 2019 has been docketed as case number 20-CA-252957. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board

Alphabet Inc. and Google, single and joint - 2 - employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc. Case 20-CA-252957

agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.
Case 20-CA-252957

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Laurie M. Burgess, Counsel Messing Adam & Jasmine LLP 235 Montgomery Street Suite 828 San Francisco CA 94104

cc:

David A. Rosenfeld, Attorney Weinberg Roger and Rosenfeld 1001 Marine Village Parkway Suite 200 Alameda CA 94501 Frank Arce, Vice President CWA District 9 2804 Gateway Oaks Drive Suite 150 Sacramento CA 95833-4324

Ellen West, Assistant to the Vice President CWA District 9 12215 Telegraph Road Suite 210 Santa Fe Springs CA 90670

Die H. Coffman





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 6, 2019

Sundar Pichai, CEO Alphabet Inc 345 Spear Street San Francisco CA 94105

Re: Alphabet Inc. and Google, single and joint employers

Sundar Pichai, CEO of Alphabet Inc. and Google

Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Alphabet Inc. and Google, single and joint - 2 - employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc. Case 20-CA-252957

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Die H. Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONAL LABOR R	ELATIONS BOARD			
QL	JESTIONNAIRE ON COMM	IERCE INFORMATION			
Please read carefully, answer all applicable its	ems, and return to the NLRB Office. If a	dditional space is required, please add a p	age and identify item number.		
CASE NAME			CASE NUMBER		
			20-CA-252957		
1. EXACT LEGAL TITLE OF ENTITY	(As filed with State and/or stated in	legal documents forming entity)	Acres de la companya del la companya de la companya		
2. TYPE OF ENTITY	APRIL DE LA CONTRACTION DE LA				
[] CORPORATION [] LLC [] I	LLP [] PARTNERSHIP []	SOLE PROPRIETORSHIP [] OTH	IER (Specify)		
3. IF A CORPORATION or LLC A STATE OF INCORPORATION	D NAME ADDRESS AND BELL	ATIONSHIP (e.g. parent, subsidiary) OF	ALL DELATED ENTITIES		
OR FORMATION	B. NAME, ADDRESS, AND RELA	ATIONSHIP (e.g. parent, subsidiary) Or	ALL RELATED ENTITIES		
4 IF ANALOOD AND TWO OF DAD	EMEDOHID FILL MANE AND AD	ADDESS OF THE MEMBERS OF THE	THERE	_	
4. IF AN LLC OR ANY TYPE OF PART	INERSHIP, FULL NAME AND AL	DIRESS OF ALL MEMBERS OR PAR	CINERS		
5. IF A SOLE PROPRIETORSHIP, FUI	LL NAME AND ADDRESS OF PRO	DPRIETOR			
6. BRIEFLY DESCRIBE THE NATURE	F OF VOUR OPERATIONS (Produ	ate handled as manufactured as nature a	francisco nauformed)	_	
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	14-22-0-0				
7. A. PRINCIPAL LOCATION:	B. BRANCE	I LOCATIONS:			
8. NUMBER OF PEOPLE PRESENTLY					
A. Total:	B. At the address involved in				
9. DURING THE MOST RECENT (Che	ck appropriate box): [] CALENDA	RYR [] 12 MONTHS or [] FISO	CAL YR (FY dates		
				YES	NO
A. Did you provide services valued in	excess of \$50,000 directly to cust	omers outside your State? If no, indi	cate actual value.	YES	NO
\$			14	YES	NO
\$ B. If you answered no to 9A, did you p	provide services valued in excess	of \$50,000 to customers in your State	e who purchased goods	YES	NO
\$ B. If you answered no to 9A, did you p	provide services valued in excess		e who purchased goods	YES	NO
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergy Bri, President of Alphabet Inc. Charged Party	
and	CASE 20-CA-252957
Communications Workers of America, AFL-CIO, District 9	
Charging Party	
REGIONAL DIRECTOR EXECUTIVE SECRETARY	☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	VE OF
alphabet Inc. and Google, single and joint employers Sundar Pi arry Page, CEO of Alphabet Inc. Sergy Bri, President of Alpha	
N THE ABOVE-CAPTIONED MATTER.	7,000
CHECK THE APPROPRIATE BOX(ES) BELOW:	
IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN OX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY OCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN IS AS DESCRIBED IN SEC. 11842.3 OF THE
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 $^{^{1}}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergy Bri, President of Alphabet Inc. Charged Party	
and	CASE 20-CA-252957
Communications Workers of America, AFL-CIO, District 9	
Charging Party	
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATION Alphabet Inc. and Google, single and joint employers Sundar Piarry Page, CEO of Alphabet Inc. Sergy Bri, President of Alphabet	chai, CEO of Alphabet Inc. and Google
N THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY VERSENTATIVE AS CHARGES, PETITIONS AND FORMAL DOCUMENT CASEHANDLING MANUAL. (REPRESENTATIVE INFORMAL)	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN TS AS DESCRIBED IN SEC. 11842.3 OF THE
NAME: J. Al Latham, Jr., and Cameron W, Fox of Paul Hasting	s LLP
MAILING ADDRESS: 515 S. Flower Street, 25th Floor, Los Angel	
E-MAIL ADDRESS: allatham@paulhastings.com; cameronfox@pa	aulhastings.com
OFFICE TELEPHONE NUMBER: (213) 683-6319; (213) 683-6301	
CELL PHONE NUMBER:	FAX: (213) 627-0705
SIGNATURE: al roth fin	ne in the
(Please sign in ink.) DATE: December 9, 2019	6 X

 $^{^1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

FORM NLRB-501 (2-18)

B-501 UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRITE IN	THIS SPACE
se 20-CA-252957	03/09/2020

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in	which the alleged unfair labor practice occurred or is of OYER AGAINST WHOM CHARGE IS BROUGHT.	curring.
Name of Employer Alphabet Inc. and Google, single employer		b. Tel. No. 415-736-0000
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street	e. Employer Representative	g. e-mail
San Francisco, CA 94105	Sundar Pichai	sundar@google.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products	
The above-named employer has engaged in and is engaged (list subsections) (a) (3) practices are practices affecting commerce within the methe Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise state)	of the National Lab aning of the Act, or these unfair labor practices affecti	or Relations Act, and thest unfair laboring commerce within the meaning of
3. Full name of party filing charge (if labor organization, g	ive full name, including local name and number)	
Communications Workers of America, AFL-CIO 4a. Address (Street and number, city, state, and ZIP code	2)	4b. Tel. No.
Jennifer Abruzzo		202-434-1234
501 Third Street N.W., Suite 800 Washington, DC 20001		4c. Cell No.
		4d, Fax No. 202-434-1219
		4e. e-mail
5, Full name of national or international labor organization	of which it is an affiliate or constituent unit (to be filled	in when charge is filed by a labor organization)
. I declare that I have read the abo	ARATION ve charge and that the statements	Tel. No. 415-266-1817
are tole to the best of m	ny knowledge and belief. Laurie M. Burgess, Counsel	Office, if any, Cell No.
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No. 415-266-1128
Messing Adam & Jasmine LLP Address 235 Montgomery Street, Suite 828, San F	rancisco, CA 94104 Date March 9, 2020	e-mail laurie@majlabor.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the Information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Addendum to First Amended NLRB CHARGE AGAINST EMPLOYER filed by Communications Workers of America, AFL-CIO, against:

Alphabet Inc. and Google, single employer

Google, by and through its corporate leaders, including, but not limited to Sundar Pichai, CEO of Alphabet Inc. and Google; Larry Page, CEO of Alphabet Inc.; Sergey Brin, President of Alphabet Inc., has promulgated and maintained working conditions that Google employees are required to adhere to in its Code of Conduct, which ends with the statement:

"And remember ... don't be evil, and if you see something that you think isn't right - speak up!"

Based thereon, within the past six months, Google employees across the nation have been organizing for their mutual benefit and protection in order to preserve and improve their working conditions, and (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) visibly led and participated in these efforts, including protesting Google's handling of issues, such as those concerning immigration status. In response, Google unlawfully promulgated and/or enforced new data classification policies, data protection guidelines, "community guidelines," codes of conduct, calendaring rules and other policies and practices; initiated investigations against the four above named employee leaders based upon retroactive application of such guidelines; interrogated them; and discharged them on (b) (6), (b) (7)(C) 2019 within minutes of each other. Google engaged in all of this unlawful conduct in order to discourage and chill employees from engaging in protected concerted and union activities in violation of the National Labor Relations Act.

Google's above-referenced unlawful conduct flies in the face of its own aforementioned words in its Code of Conduct and stifles workers' ability to freely raise issues, to disagree with leadership, to organize, and to address aspects of Google's workplace interactions, product development, 'corporate citizenship,' and business practices. Its actions are the antithesis of the freedoms and transparency it publicly touts.



Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

March 10, 2020

Sundar Pichai, CEO Alphabet Inc. and Google 345 Spear Street San Francisco CA 94105

REGION 20

901 Market Street, Suite 400

San Francisco, CA 94103-1738

Re: Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

Dear Mr. Pichai:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If the agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.
Case 20-CA-252957

statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

JILL H. COFFMAN Regional Director

Dis H. Coffman

Enclosure: Copy of first amended charge

cc: Sara Kalis, Attorney
Paul Hastings LLP
200 Park Avenue
New York NY 10166

Brian Hayes, Attorney Paul Hastings LLP 200 Park Avenue New York NY 10166

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ALPHABET INC. AND GOOGLE, SINGLE ANI
JOINT EMPLOYERS

Charged Party

and

COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO

Charging Party

Case 20-CA-252957

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on March 10, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, CEO Alphabet Inc. and Google 345 Spear Street San Francisco CA 94105 Sara Kalis, Attorney Paul Hastings LLP 200 Park Avenue New York NY 10166

Brian Hayes, Attorney Paul Hastings LLP 200 Park Avenue New York NY 10166

March 10, 2020	Caroline Barker, Designated Agent of NLRB
Date	Name
	/s/ Caroline Barker
	Signature





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

March 10, 2020

Jennifer Abruzzo, Union Representative Communications Workers of America, AFL-CIO 501 Third Street NW Suite 800 Washington DC 20001-2797

> Re: Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.

> > Case 20-CA-252957

Dear Ms. Abruzzo:

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If the agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

- 2 -

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc.
Case 20-CA-252957

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

JILL H. COFFMAN Regional Director

cc: Laurie M. Burgess, Counsel
Messing Adam & Jasmine LLP
235 Montgomery Street
Suite 828
San Francisco CA 94104

David A. Rosenfeld, Attorney Weinberg Roger and Rosenfeld 1001 Marine Village Parkway Suite 200 Alameda CA 94501 Frank Arce, Vice President CWA District 9 2804 Gateway Oaks Drive Suite 150 Sacramento CA 95833-4324

Ellen West, Assistant to the Vice President CWA AFL-CIO District 9 12215 Telegraph Road Suite 210 Santa Fe Springs CA 90670

Die H. Coffman

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

	DO NOT WRITE IN THE	S SPACE
Case	20-CA-253105	Date Filed 12/09/2019

INSTRUCTIONS:

a. Name of Employer	MPLOYER AGAINST WHOM CHARGE IS BROUGHT	L Tal Ma
a. Name of Employer Alphabet Inc. and Google, single and joint emp Sundar Pichai, CEO of Alphabet Inc. and Goog	loyers le	b. Tel. No. 415-736-0000
Larry Page, Board Member and Co-Founder, A Sergey Brin, Board Member and Co-Founder, A	lphabet Inc. and Google	c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai	g. e-mail sundar@google.com
		h. Number of workers employed
. Type of Establishment (factory, mine, wholesaler, etc Technology Company	j. Identify principal product or service Internet related services and products	1
he above-named employer has engaged in and is en	gaging in unfair labor practices within the meaning of se	ertion 8/a) subsections /1) and
list subsections) 8(a)(3)		ibor Relations Act, and thest unfair labor
	neaning of the Act, or these unfair labor practices affect	ang commerce within the meaning of
he Act and the Postal Reorganization Act.		
. Basis of the Charge (set forth a clear and concise st	atement of the facts constituting the alleged unfair labo	r practices)
ee addendum.		
ee addendum.		
Full name of party filing charge (if labor organization.	give full name, including local name and number)	
Full name of party filing charge (if labor organization, communications Workers of America, AFL-CIC	give full name, including local name and number)	
		Job Tel No.
a. Address (Street and number, city, state, and ZIP co.		4b. Tel. No. 202-434-1234
a. Address (Street and number, city, state, and ZIP con ennifer Abruzzo D1 Third Street, N.W., Suite 800		202-434-1234
a. Address (Street and number, city, state, and ZIP coennifer Abruzzo 01 Third Street, N.W., Suite 800		
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a. Address (Street and number, city, state, and ZIP co- ennifer Abruzzo 01 Third Street, N.W., Suite 800		202-434-1234
a. Address (Street and number, city, state, and ZIP coennifer Abruzzo 01 Third Street, N.W., Suite 800		202-434-1234 4c. Gell No. 4d. Fax No. 202-434-1219
a. Address (Street and number, city, state, and ZIP co- ennifer Abruzzo 01 Third Street, N.W., Suite 800		202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail
a. Address (Street and number, city, state, and ZIP coennifer Abruzzo 01 Third Street, N.W., Suite 800		202-434-1234 4c. Gell No. 4d. Fax No. 202-434-1219
a. Address (Street and number, city, state, and ZIP co- ennifer Abruzzo 01 Third Street, N.W., Suite 800 /ashington, DC 20001		202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org
a. Address (Street and number, city, state, end ZIP co- ennifer Abruzzo DI Third Street, N.W., Suite 800 ashington, DC 20001	de)	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org
a. Address (Street and number, city, state, and ZIP co- ennifer Abruzzo 01 Third Street, N.W., Suite 800 /ashington, DC 20001	de)	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org
a. Address (Street and number, city, state, and ZIP co- ennifer Abruzzo 01 Third Street, N.W., Suite 800 /ashington, DC 20001	on of which it is an aifiliate or constituent unit (to be filled	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organizal
a. Address (Street and number, city, state, and ZIP co- ennifer Abruzzo 01 Third Street, N.W., Suite 800 Vashington, DC 20001 Full name of national or international labor organization 6. DECI	on of which it is an affiliate or constituent unit <i>(to be filled</i>	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org
a. Address (Street and number, city, state, and ZIP contentifier Abruzzo 01 Third Street, N.W., Suite 800 //ashington, DC 20001 Full name of national or international labor organization 6. DECI	on of which it is an aifiliate or constituent unit (to be filled	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organizati Tel. No. 415-266-1817
a. Address (Street and number, city, state, end ZIP connifer Abruzzo D1 Third Street, N.W., Suite 800 /ashington, DC 20001 Full name of national or international labor organization 6. DECI	on of which it is an affiliate or constituent unit (to be filled LARATION ove charge and that the statements my knowledge and belief.	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organization.
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a. Address (Street and number, city, state, and ZIP contentifier Abruzzo 01 Third Street, N.W., Suite 800 /ashington, DC 20001 Full name of national or International labor organization 6. DECI I declare that I have read the above of the state of the s	on of which it is an affiliate or constituent unit (to be filled LARATION ove charge and that the statements my knowledge and belief. Laurie Mt. Burgess, Counsel	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organizat Tel. No. 415-266-1817 Office, if any, Cell No.
a. Address (Street and number, city, state, and ZIP contentifier Abruzzo 01 Third Street, N.W., Suite 800 Vashington, DC 20001 Full name of national or international labor organization 6. DECI I declare that I have read the abilities of the content of the con	on of which it is an affiliate or constituent unit (to be filled LARATION ove charge and that the statements my knowledge and belief. Laurie M. Burgess, Counsel (Print/type name and title or office, if eny)	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organizat Tel. No. 415-266-1817 Office, if any, Cell No. Fax No. 415-266-1128
declare that I have read the ab	on of which it is an affiliate or constituent unit (to be filled LARATION ove charge and that the statements my knowledge and belief. Laurie M. Burgess, Counsel (Print/type name and title or office, if eny)	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a lebor organization Tel. No. 415-266-1817 Office, if any, Cell No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the Information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

20-CA-253105 12/09/2019

Addendum to NLRB CHARGE AGAINST EMPLOYER filed by Communications Workers of America, AFL-CIO, against:

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO, Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google

Google, by and through its corporate leaders, including, but not limited to Sundar Pichai, CEO of Alphabet Inc. and Google, Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google, and Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google, has promulgated and maintained working conditions that Google employees are required to adhere to in its Code of Conduct, which ends with the statement:

"And remember ... don't be evil, and if you see something that you think isn't right - speak up!"

Based thereon, within the past six months, Google employees across the nation have been organizing for their mutual benefit and protection in order to preserve and improve their working conditions. (b) (6), (b) (7)(c) engaged in protected concerted activities, including, but not limited to, helping Google employees learn about their rights under the NLRA pursuant to the settlement agreement that Google entered into with the NLRB. In response to these efforts, Google placed on administrative leave and unlawfully interrogated on three successive occasions regarding activities encompassed within ip iob responsibilities, including helping Google employees access the NLRB's Notice to Employees, which, as part of the aforementioned settlement, advised employees of their rights under the National Labor Relations Act. Google further unlawfully promulgated and enforced new data classification policies, data protection guidelines, "Community Guidelines" and codes of conduct designed to discourage and chill employees from engaging in protected concerted and union activities in violation of the National Labor Relations Act.

Google's above-referenced unlawful conduct directly contradicts its representations in the Code of Conduct and the image it presents to its employees and the public, and stifles workers' ability to freely raise issues, to disagree with leadership, to organize, and to address aspects of Google's workplace interactions, product development, 'corporate citizenship,' and business practices. Its actions are the antithesis of the freedoms and transparency it publicly touts.





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 10, 2019

Sundar Pichai, Employer Representative Alphabet Inc. and Google 345 Spear Street San Francisco CA 94105

> Re: Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google

Case 20-CA-253105

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

Alphabet Inc. and Google, a single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google Case 20-CA-253105

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures</u>: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

Alphabet Inc. and Google, a single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google Case 20-CA-253105

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Ju H. Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONAL LABOR RI	ELATIONS BOARD			
QL	JESTIONNAIRE ON COMM	ERCE INFORMATION			
Please read carefully, answer all applicable its	ems, and return to the NLRB Office. If ac	dditional space is required, please add a pa	ge and identify item number.		
CASE NAME			CASE NUMBER		
			20-CA-253105		
1. EXACT LEGAL TITLE OF ENTITY	(As filed with State and/or stated in I	legal documents forming entity)			
2. TYPE OF ENTITY	0.000	The state of the s			
[] CORPORATION [] LLC [] I	LP [] PARTNERSHIP [] S	SOLE PROPRIETORSHIP [] OTHI	ER (Specify)		
3. IF A CORPORATION or LLC					
A STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELA	ATIONSHIP (e.g. parent, subsidiary) OF A	ALL RELATED ENTITIES		
4. IF AN LLC OR ANY TYPE OF PAR	INERSHIP, FULL NAME AND AD	DRESS OF ALL MEMBERS OR PAR	TNERS		
5. IF A SOLE PROPRIETORSHIP, FUI	LL NAME AND ADDRESS OF PRO	PRIETOR			
6. BRIEFLY DESCRIBE THE NATURI	E OF YOUR OPERATIONS (Produc	ts handled or manufactured, or nature of	services performed).		
7. A. PRINCIPAL LOCATION:	B. BRANCH	LOCATIONS:			- 37
8. NUMBER OF PEOPLE PRESENTLY	EMPLOYED				
A. Total:	B. At the address involved in t	his matter:			
9. DURING THE MOST RECENT (Che	ck appropriate box): [] CALENDAI	RYR []12 MONTHS or []FISC	AL YR (FY dates		
)
A Didd				YES	NO NO
A. Did you provide services valued in	excess of \$50,000 directly to custo	omers outside your State? If no, indic	cate actual value.	YES	NO NO
A. Did you provide services valued in \$ B. If you answered no to 9A, did you p				YES	NO NO
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ALPHABET INC. AND GOOGLE, A SINGLE AND JOINT EMPLOYERS SUNDAR PICHAI, CEO OF ALPHABET INC. AND GOOGLE LARRY PAGE, BOARD MEMBER AND COFOUNDER, ALPHABET INC. AND GOOGLE SERGEY BRIN, BOARD MEMBER AND COFOUNDER, ALPHABET INC. AND GOOGLE

Case 20-CA-253105

Charged Party

and

COMMUNICATION WORKERS OF AMERICA, AFL-CIO

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 10, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, Employer Representative Alphabet Inc. and Google 345 Spear Street San Francisco CA 94105

December 10, 2019	Caroline Barker, Designated Agent of NLRB
Date	Name
	/s/ Caroline Barker
	Signature





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 10, 2019

Jennifer Abruzzo, Union Representative Communication Workers of America AFL-CIO 501 Third Street North West Suite 800 Washington DC 20001-2797

> Re: Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google

Case 20-CA-253105

Dear Ms. Abruzzo:

The charge that you filed in this case on December 09, 2019 has been docketed as case number 20-CA-253105. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present

- 2 -

Alphabet Inc. and Google, a single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google Case 20-CA-253105

your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

cc: Laurie M. Burgess, Counsel Messing Adam & Jasmine LLP 235 Montgomery Street Suite 828 San Francisco CA 94104

> David A. Rosenfeld, Attorney Weinberg Roger and Rosenfeld 1001 Marine Village Parkway Suite 200 Alameda CA 94501

Frank Arce, Vice President CWA District 9 2804 Gateway Oaks Drive Suite 150 Sacramento CA 95833-4324

Ellen West, Assistant to the Vice President CWA District 9 12215 Telegraph Road Suite 210 Santa Fe Springs CA 90670

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google; Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google and Communications Workers of America, AFL-CIO	CASE 20-CA-253105
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATI	Market and the second and the second
Alphabet Inc. and Google, single and joint employers; Sundar I arry Page, Board Member and Co-Founder, Alphabet Inc. and The Faunday Alphabet Inc. and Capala IN THE ABOVE-CAPTIONED MATTER.	
arry Page, Board Member and Co-Founder, Alphabet Inc. and	THAT THE PARTY MAY RECEIVE COPIES OF ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
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 $^{^{\}rm 1}$ if case is pending in Washington and notice of appearance is sent to the general counsel or the executive secretary, a copy should be sent to the regional director of the region in which the case was filed so that those records will reflect the appearance.

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE		
20-CA-253249	Date Filed 12/11/2019	

INSTRUCTIONS:

1. EMPLOYER AGAINST WHOM CHARGE	
a. Name of Employer	b. Tel. No.
Alabata and Cooking to London to the	415-736-0000
Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google	c, Cell No.
Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google	f. Fax. No.
d. Address (Street, city, state, and ZIP code) e. Employer Representative	
345 Spear Street Sundar Pichai	g. e-mail sundar@google.com
San Francisco, CA 94105	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company j. Identify principal product or ser Internet related services and	
The above-named employer has engaged in and is engaging in unfair labor practices within	the meaning of section 8(a) subsections (1) and
	of the National Labor Relations Act, and thest unfair labor
practices are practices affecting commerce within the meaning of the Act, or these unfair lat	
the Act and the Postal Reorganization Act.	process and the state of the st
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the	alleged unfair labor practices)
or about November 13th, (b) (6), (b) (7)(C) was directed to attend an interrogation and support for co-worker. Prior to the interrogation, (b) (6), (b) (7)(C) was directed to attend an interrogation and support for co-worker. Prior to the interrogation, (b) (6), (b) (7)(C) was directed to Employer's interrogation of co-worker. Prior to the interrogation, (b) (6), (b) (7)(C) was directed and support for co-worker. Prior to the interrogation, (b) (6), (b) (7)(C) was directed and interrogation an	was intended to coerce and intimidate (b)(6), (b)(7)(G)and
4a. Address (Street and number, city, state, and ZIP code)	4b. Tel. No. 202-434-1234
Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001	
	4c. Cell No.
	4c. Cell No. 4d. Fax No. 202-434-1219
	4d. Fax No.
5. Full name of national or international labor organization of which it is an affiliate or constitu	4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org
	4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org tent unit (to be filled in when charge is filed by a labor organization)
5. Full name of national or international labor organization of which it is an affiliate or constitution of the statements are true to the best of my knowledge and belief.	4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org lent unit (to be filled in when charge is filed by a labor organization) Tel. No. 415-266-1817
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. Lauric M. Burgess.	4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org Ient unit (to be filled in when charge is filed by a labor organization) Tel. No. 415-266-1817 Office if any Cell No.
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 12, 2019

Sundar Pichai, Employer Representative Alphabet Inc. and Google 345 Spear Street San Francisco CA 94105

Re: Alphabet, Inc. and Google Single and joint employers

Case 20-CA-253249

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Ju H. Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONAL LABOR	RELATIONS BOARD				
QL	JESTIONNAIRE ON COMI	MERCE INFORMATION		1		
Please read carefully, answer all applicable its	ms, and return to the NLRB Office. If	additional space is required, please add a	page and identify item number.			
CASE NAME			CASE NUMBER			
			20-CA-253249			
1. EXACT LEGAL TITLE OF ENTITY	As filed with State and/or stated in	n legal documents forming entity)				
2. TYPE OF ENTITY		Property of the second				
[] CORPORATION [] LLC [] I	LP [] PARTNERSHIP []	SOLE PROPRIETORSHIP [] OT	HER (Specify)			
3. IF A CORPORATION or LLC	D MANE ADDRESS AND DE	ATTONICITE (ALL DELATED PAREEUR			
A STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND REI	LATIONSHIP (e.g. parent, subsidiary) OF	ALL RELATED ENTITIES			
4. IF AN LLC OR ANY TYPE OF PART	NERSHIP, FULL NAME AND A	DDRESS OF ALL MEMBERS OR PA	RINERS			
5. IF A SOLE PROPRIETORSHIP, FUI	L NAME AND ADDRESS OF PR	ROPRIETOR				
6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERATIONS (Prod	lucts handled or manufactured, or nature o	of services performed).			
7. A. PRINCIPAL LOCATION:	B. BRANC	CH LOCATIONS:		- 26		
8. NUMBER OF PEOPLE PRESENTLY	EMPLOYED					
A. Total:	B. At the address involved in	n this matter:				
9. DURING THE MOST RECENT (Che	ck appropriate box): [] CALEND.	AR YR [] 12 MONTHS or [] FIS	CAL YR (FY dates)		
A. Did you provide services valued in	excess of \$50,000 directly to cur	stomers outside your State? If no ind		ES NO		
\$	encess of \$50,000 affectly to ear	stomers outside your state. If no, no	neate actual value.			
B. If you answered no to 9A, did you p						
	rectly outside your State? If no,	indicate the value of any such serv	vices you provided.			
\$ C. If you answered no to 9A and 9B, did	you provide services valued in	excess of \$50,000 to public utilities	trancit systems			
		ial buildings, educational institutions,				
less than \$50,000, indicate amount.	\$					
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate						
amount. \$ E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who						
purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.						
\$						
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$						
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points						
outside your State? If less than \$50,000, indicate amount. \$						
H. Gross Revenues from all sales or			Y.			
	the state of the second state of the second state of the second	If less than \$100,000, indicate amoun	It.			
I. Did you begin operations within 10 ARE YOU A MEMBER OF AN ASSO	Lecond Chr. dilleto J.d. St. L. L. L. C. C. C. L. C.		NI FOTINE DARCAINING	_		
[] YES [] NO (If yes, name and	they provide the game of the first transfer to the following of the	TER GROUP THAT ENGAGES IN CO	LLECTIVE BARGAINING?			
	dadress of association of group).					
NAME	ED TO GIVE FURTHER INFOR	MATION AROUT VOUR OPERATIO	INS			
THE	TITLE	E-MAIL ADDRESS	TEL. NUMBE	R		
Trumb				R		
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	TITLE		TEL. NUMBE			
12. AUTHO	TITLE PRIZED REPRESENTATIVE	E-MAIL ADDRESS VE COMPLETING THIS QUE	TEL. NUMBE			

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UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ALPHABET, INC. AND GOOGLE, SINGLE AND JOINT EMPLOYERS Charged Party and COMMUNICATION WORKERS OF AMERICA AFL-CIO, CLC Charging Party	Case 20-CA-253249			
AFFIDAVIT OF SERVICE OF CHARGE AGAINS	T EMPLOYER			
I, the undersigned employee of the National Labor Relations Board, state under oath that on December 12, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:				
Sundar Pichai, Employer Representative Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc. 345 Spear Street San Francisco CA 94105				
December 12, 2019	Inter NAME, Designated Agent of NLRB			
Date	Name			

Signature





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 12, 2019

Jennifer Abruzzo, Union Representative Communication Workers of America AFL CIO CLC 501 Third Street North West Suite 800 Washington DC 20001

> Re: Alphabet, Inc. and Google Single and joint employers Case 20-CA-253249

Dear Ms. Abruzzo:

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Alphabet, Inc. and Google, Single and joint - 2 - employers
Case 20-CA-253249

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Copy of Charge:

cc: Laurie M. Burgess, Counsel
Messing Adam & Jasmine LLP
235 Montgomery Street
Suite 828
San Francisco CA 94104

David A. Rosenfeld, Attorney Weinberg Roger and Rosenfeld 1001 Marine Village Parkway Suite 200 Alameda CA 94501 Frank Arce, Vice President CWA District 9 2804 Gateway Oaks Drive Suite 150 Sacramento CA 95833-4324

Die H. Coffman

Ellen West, Assistant to the Vice President CWA District 9 12215 Telegraph Road Suite 210 Santa Fe Springs CA 90670

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers; Sundar Pichai, CEO of Alphabet Inc. and Google; Larry Page, Board Member and Co-Founder, Alphabet Inc. & Google; Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google, Charged Party and Communications Workers of America, AFL-CIO	CASE 20-CA-253249
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	Pichai, CEO of Alphabet Inc. and Google;
arry Page, Board Member and Co-Founder, Alphabet Inc. & G	Google; Sergey Brin, Board Member and
N THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW; REPRESENTATIVE IS AN ATTORNEY	
IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THE PROPERTY OF THE AGENCY IN SOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY OCCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS ASEHANDLING MANUAL.	ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFOR	MATION)
NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP	
MAILING ADDRESS: 200 Park Avenue, New York, New York 10	166
E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@p	aulhastings.com
OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822	
CELL PHONE NUMBER: (952) 240-4558	FAX: (212) 319-4090
-0-20	7/14.1=1-1
SIGNATURE:	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN	THIS SPACE
Case	Date Filed
20-CA-253464	12/16/2019

INSTRUCTIONS:

	LOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer		b. Tel. No. 415-736-0000	
Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google		c. Cell No.	
		f. Fax. No.	
d. Address (Street, city, state, and ZIP code) 345 Spear Street	e. Employer Representative Sundar Pichai	g. e-mail sundar@google.com	
San Francisco, CA 94105		h. Number of workers employed	
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products		
The above-named employer has engaged in and is engage	ging in unfair labor practices within the meaning of se	ection 8(a), subsections (1) and	
(list subsections) 8(a)(3)	[2] [2] [2] [2] [2] [3] [4] [4] [4] [4] [4] [4] [4] [4] [4] [4	bor Relations Act, and thest unfair labor	
practices are practices affecting commerce within the me			
the Act and the Postal Reorganization Act.	orang ar and rior, or arous amon have practices and	and commerce with the meaning of	
Basis of the Charge (set forth a clear and concise state	amont of the facts constituting the alleged unfair labor	r nmotions)	
2. basis of the Charge (set forth a clear and concise state	ment of the lacts constituting the alleged untall labor	practices	
See Addendum.			
Full name of party filing charge (if labor organization, gits Communications Workers of America, AFL-CIO	ive full name, including local name and number)		
3. Full name of party filing charge (if labor organization, git Communications Workers of America, AFL-CIO 4a. Address (Street and number, city, state, and ZIP code)		4b. Tel. No. 202-434-1234	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800		4b. Tel. No. 202-434-1234 4c. Cell No.	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo		202-434-1234 4c. Cell No. 4d. Fax No.	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800		202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800		202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001		202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001	of which it is an affiliate or constituent unit (to be filled	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organization.	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001 5. Full name of national or international labor organization 6. DECLA I declare that I have read the above	of which it is an affiliate or constituent unit (to be filled	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organization, Tel. No. 415-266-1817	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001 5. Full name of national or international labor organization 6. DECL	of which it is an affiliate or constituent unit (to be filled	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organization, Tel. No.	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001 5. Full name of national or international labor organization 6. DECLA I declare that I have read the above	of which it is an affiliate or constituent unit (to be filled) ARATION we charge and that the statements y knowledge and belief.	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organization. Tel. No. 415-266-1817	
4a. Address (Street and number, city, state, and ZIP code Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001 5. Full name of national or international labor organization 6. DECLA I declare that I have read the above are true to the best of meaning the state of the sta	ARATION we charge and that the statements y knowledge and belief. Laurie M. Burgess, Counsel (Print/type name and title or office, if any)	202-434-1234 4c. Cell No. 4d. Fax No. 202-434-1219 4e. e-mail jabruzzo@cwa-union.org d in when charge is filed by a labor organization. Tel. No. 415-266-1817 Office, if any, Cell No.	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Addendum to NLRB CHARGE AGAINST EMPLOYER filed by Communications Workers of America, AFL-CIO, against:

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO, Alphabet Inc. and Google

Basis of the Charge:

On or about (b) (6), (b) (7)(c) , Google unlawfully terminated the employment of (b) (6), (b) (7)(c) with outstanding evaluations, in response to (concerted and protected activity. That activity included, but was not limited to, creating a "pop-up" alerting Google employees seeking to review the website of an anti-union consulting firm recently retained by Google had recently retained of their rights to engage in protected concerted activity. Specifically, the "pop up" directed employees to Google's Notice of Posting, required by the NLRB as a settlement in response to prior NLRB charges filed against Google.

Google's interrogation of (6). (6). (7)(C) regarding lawful actions and termination of employment based upon those lawful actions, was done to attempt to quell and other employees from asserting their right to engage in concerted protected activities. Google's actions are the antithesis of the freedoms and transparency it publicly touts and violates and other Google employees' rights to engage in concerted activity protected under the National Labor Relations Act.





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130

Fax: (415)356-5156

Download NLRB Mobile App

December 17, 2019

Sundar Pichai, CEO Alphabet Inc. and Google, single and joint employers 345 Spear Street San Francisco, CA 94105

Re: Alphabet Inc. and Google, single and joint

employers

Case 20-CA-253464

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

-

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions

about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Ju H. Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONA	AL LABOR RELATIO	NS BOARD			-
G	QUESTIONNAIRE	ON COMMERCE	INFORMATION			
Please read carefully, answer all applicable	items, and return to the NL	RB Office. If additional s	pace is required, please add a p	age and identify item number		
CASE NAME				20-CA-253464		
1. EXACT LEGAL TITLE OF ENTITY	V (As filed with State an	d/or stated in legal doc	iments forming entity)	20-CA-233404		
I. EARCI LEGAL TITLE OF ENTIT	I (As med with State and	u or stateu in legal noc	iments forming entity)			
2. TYPE OF ENTITY						
	LLP [] PARTNER	RSHIP [] SOLE PR	OPRIETORSHIP [] OTH	HER (Specify)		
3. IF A CORPORATION or LLC	The American Street					
A STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRES	SS, AND RELATIONSE	IP (e.g. parent, subsidiary) OF	ALL RELATED ENTITIES		
4. IF AN LLC OR ANY TYPE OF PA	RTNERSHIP, FULL NA	AME AND ADDRESS	OF ALL MEMBERS OR PAI	RTNERS		
5. IF A SOLE PROPRIETORSHIP, F	ULL NAME AND ADDI	RESS OF PROPRIETO	OR .			- 3
6. BRIEFLY DESCRIBE THE NATU	RE OF YOUR OPERAT	IIONS (Products handle	d or manufactured, or nature o	f services performed).		
			Section 1			
7. A. PRINCIPAL LOCATION:		B. BRANCH LOCAT	TONS:			
8. NUMBER OF PEOPLE PRESENT						
A. Total:	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ss involved in this matter		CAL VD (EV Jane	_	1
9. DURING THE MOST RECENT (C	неск арргоргіале вох): [CALENDAR IR	JIZ MONTHS or [] FIS	CALYK (FI dates	YES	NO
A. Did you provide services valued i	in excess of \$50,000 dir	rectly to customers ou	tside your State? If no, ind	icate actual value.		
B. If you answered no to 9A, did you	provide services valu	ed in excess of \$50,00	00 to customers in your Stat	e who purchased goods		
valued in excess of \$50,000 from					1111	1 11
\$	P1	1 1 1 1	\$50,000 to	and the services		
C. If you answered no to 9A and 9B, onewspapers, health care institution less than \$50,000, indicate amount	ns, broadcasting station					
D. Did you sell goods valued in exce amount. \$	ss of \$50,000 directly t	to customers located o	utside your State? If less the	an \$50,000, indicate		
E. If you answered no to 9D, did you	sell goods valued in e	xcess of \$50,000 direc	etly to customers located ins	side your State who		
purchased other goods valued in e \$	xcess of \$50,000 from	directly outside your	State? If less than \$50,000	, indicate amount.		
F. Did you purchase and receive go amount. \$	ods valued in excess o	f \$50,000 from direct	y outside your State? If le	ss than \$50,000, indicate		
G. Did you purchase and receive go			rises who received the good	ls directly from points		
outside your State? If less than H. Gross Revenues from all sales o			t amount)		4	
[] \$100,000 [] \$250,000 []				t		
I. Did you begin operations withi	n the last 12 months?	If yes, specify date:		<u> </u>		
10 ARE YOU A MEMBER OF AN AS	SOCIATION OR OTHE	ER EMPLOYER GRO	UP THAT ENGAGES IN CO	LLECTIVE BARGAININ	G?	
[] YES [] NO (If yes, name an	nd address of association	or group).				
11. REPRESENTATIVE BEST QUALI					MDED	
NAME	TITLE	E-N	IAIL ADDRESS	TEL. NUI	NIDEK	
12 AUTH	ORIZED DEDDES	ENTATIVE COM	PLETING THIS QUES	STIONNAIDE		
NAME AND TITLE (Type or Print)	SIGNATURE	ENTATIVE COM	E-MAIL ADDRESS		ATE	
The control of the Highlines is	200					
		Contract to the Contract of	Althoris - Total			

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ALPHABET INC. AND GOOGLE, SINGLE AND JOINT EMPLOYERS Charged Party and COMMUNICATION WORKERS OF AMERICA, AFL-CIO Charging Party	Case 20-CA-253464
AFFIDAVIT OF SERVICE OF CHARGE AGAIN I, the undersigned employee of the National Labor Red December 17, 2019, I served the above-entitled document following persons, addressed to them at the following	ations Board, state under oath that on nent(s) by post-paid regular mail upon the
Sundar Pichai, CEO Alphabet Inc. and Google, single and joint employers 345 Spear Street San Francisco, CA 94105	
December 17, 2019	Susie Louie, Designated Agent of NLRB
Date	Name
	/s/ Susie Louie

Signature





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 17, 2019

Jennifer Abruzzo Communication Workers of America, AFL-CIO 501 Third Street NW Ste 800 Washington, DC 20001-2797

Re: Alphabet Inc. and Google, single and joint

employers

Case 20-CA-253464

Dear Ms. Abruzzo:

The charge that you filed in this case on December 16, 2019 has been docketed as case number 20-CA-253464. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Alphabet Inc. and Google, single and joint - 2 - December 17, 2019 employers Case 20-CA-253464

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Qualifying for Backpay: We are just beginning to investigate your charge and no decision has been made regarding the merits of your case. However, it is important that employees who might be entitled to backpay because of loss of employment understand their obligation to look for work in order to qualify for backpay if your case has merit. Accordingly, we urge you to promptly provide the Board agent with the names and addresses of all employees who might be entitled to backpay as a result of the charge you filed.

Case 20-CA-253464

If backpay is due to an employee, the Board requires that the employee offset the backpay by promptly beginning to look for another job in the same or similar line of work. The Board has held that a reasonably diligent employee should begin searching for interim work within 2 weeks after the employee's termination or layoff or a refusal to hire the employee. If an employee cannot establish that he or she actively tried to mitigate his or her losses, the amount of money owed to the employee might be reduced.

Employees who might be owed backpay should keep careful records of when and where they have sought employment and of job search expenses such as mileage, parking, and copying resumes. Specifically, they should keep a record of each time they attempt to find work, including the date, name of the company, name of person with whom they spoke, the position sought, and the response received.

Very truly yours,

JILL H. COFFMAN Regional Director

cc: Laurie M. Burgess, Counsel Messing Adam & Jasmine LLP 235 Montgomery Street Suite 828 San Francisco, CA 94104

Copy of charge only sent to:

Frank Arce, Vice President CWA District 9 2804 Gateway Oaks Drive Suite 150 Sacramento, CA 95833-4324

Ellen West, Assistant to the Vice President Communication Workers of America, District 9 12215 Telegraph Road, Suite 210 Santa Fe Springs, CA 90670 David A. Rosenfeld, Attorney Weinberg, Roger & Rosenfeld 1001 Marina Village Parkway, Suite 200 Alameda, CA 94501

Dis H. Offman

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers;	7
Sundar Pichai, CEO of Alphabet Inc. and Google	
Charged Party	
and	CASE 20-CA-253464
Communications Workers of America, AFL-CIO	
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATION AND LIBERT STREET	
IN THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENT CASEHANDLING MANUAL.	N ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFOR	MATION)
NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP	
MAILING ADDRESS: 200 Park Avenue, New York, New York 10	166
E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@p	paulhastings.com
OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822	
CELL PHONE NUMBER: (952) 240-4558	FAX: (212) 319-4090
SIGNATURE: SIGNATURE:	
DATE: (Please, sign in ink.)	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN T	THIS SPACE
^{Case} 20-CA-253655	Date Filed 12/19/2019

INSTRUCTIONS:

1.6	MPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google		b. Tel. No. 415-736-0000
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai	g. e-mail sundar@google.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, e Technology Company	itc.) J. Identify principal product or service Internet related services and products	
	statement of the facts constituting the alleged unfair labor in concerted protected activity including, but not li	
b) (6), (b) (7)(C) In retaliation for R concerted pro	tected activity, the Employer has failed and refuse	d to award (9)(6),(0) a promotion,
o) (6), (b) (7)(C) In retaliation for R concerted pro	tected activity, the Employer has failed and refuse instead awarded a lower performance rating of	d to award (9)(6),(0) a promotion,
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156

Download NLRB Mobile App

December 20, 2019

Sundar Pichai, CEO Alphabet Inc. and Google 345 Spear Street San Francisco CA 94105

Re: Alphabet Inc. and Google

single and joint employers Case 20-CA-253655

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONAL LABOR RI	ELATIONS BOARD			- 4
QL	JESTIONNAIRE ON COMM	ERCE INFORMATION			
Please read carefully, answer all applicable its	ms, and return to the NLRB Office. If a	dditional space is required, please add a p	age and identify item number.		
CASE NAME			CASE NUMBER		
			20-CA-253655		
1. EXACT LEGAL TITLE OF ENTITY	(As filed with State and/or stated in l	legal documents forming entity)			
2. TYPE OF ENTITY	APRIL DE LA CONTRACTION DE LA		100 100 100		
[] CORPORATION [] LLC [] I	LP [] PARTNERSHIP []	SOLE PROPRIETORSHIP [] OTH	IER (Specify)		
3. IF A CORPORATION or LLC A STATE OF INCORPORATION	D NAME ADDRESS AND DELA	ATIONSHIP (e.g. parent, subsidiary) OF	ALL DELATED ENTERIES		
OR FORMATION	B. NAME, ADDRESS, AND RELA	ATIONSHIP (e.g. parent, subsidiary) Or	ALL RELATED ENTITIES		
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4. IF AN LLC OR ANY TYPE OF PART	INERSHIP, FULL NAME AND AD	DRESS OF ALL MEMBERS OR PAR	CINERS		
5. IF A SOLE PROPRIETORSHIP, FUI	LL NAME AND ADDRESS OF PRO	PRIETOR			
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8. NUMBER OF PEOPLE PRESENTLY					
A. Total:	B. At the address involved in t				
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

GOOGLE	
Charged Party	
and	Case 20-CA-253655
COMMUNICATION WORKERS OF AMERICA, AFL-CIO	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AGAINS	T EMPLOYER
I, the undersigned employee of the National Labor Relational December 20, 2019, I served the above-entitled docume following persons, addressed to them at the following according to the control of the National Labor Relational December 20, 2019, I served the above-entitled docume following persons, addressed to them at the following according to the National Labor Relational December 20, 2019, I served the above-entitled docume following persons, addressed to them at the following according to the National Labor Relational December 20, 2019, I served the above-entitled docume following persons, addressed to them at the following according to the national Labor Relational December 20, 2019, I served the above-entitled docume following persons, addressed to them at the following according to the national December 20, 2019, I served to the national	nt(s) by post-paid regular mail upon the
Sundar Pichai, CEO Alphabet Inc. and Google, single and joint employers 345 Spear Street San Francisco CA 94105	
San Francisco CA 94103	
December 20, 2019 E	nter NAME, Designated Agent of NLRB
Date	Name
	Signature





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 20, 2019

(b) (6), (b) (7)(C)

Communication Workers of America
(b) (6), (b) (7)(C)

Re: Alphabet Inc. and Google single and joint employers Case 20-CA-253655

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on December 19, 2019 has been docketed as case number 20-CA-253655. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

cc: Laurie M. Burgess, Counsel
Messing Adam & Jasmine LLP
235 Montgomery Street
Suite 828
San Francisco CA 94104

David A. Rosenfeld, Attorney Weinberg Roger and Rosenfeld 1001 Marina Village Parkway Suite 200 Alameda CA 94501 Frank Arce, Vice President CWA District 9 2804 Gateway Oaks Drive Suite 150 Sacramento CA 95833-4324

Ellen West, Assistant to the Vice President CWA District 9 12215 Telegraph Road Suite 210 Santa Fe Springs CA 90670



REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156

December 31, 2019

Brian Hayes Paul Hastings LLP 200 Park Avenue New York, NY, 10166

Sara Kalis Paul Hastings LLP 200 Park Avenue New York, NY, 10166

Re: Alphabet Inc. and Google, single and joint

employers

Case 20-CA-253655

Dear Ms. Kalis and Mr. Hayes:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

JILL H. COFFMAN

Regional Director

Laurie M. Burgess, Counsel Messing Adam & Jasmine LLP 235 Montgomery Street

Suite 828

San Francisco, CA 94104

cc: Sundar Pichai, CEO Alphabet Inc. and Google 345 Spear Street San Francisco, CA 94105

(b) (6), (b) (7)(C)

Communication Workers of America,

AFL-CIO

(b) (6), (b) (7)(C)

FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

Case 20-CA-253982 Date Filed 12/30/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in 1, EMPL	OYER AGAINST WHOM CHARGE IS BROUGHT		
a, Name of Employer Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google		b. Tel. No. 415-736-0000 c. Cell No.	
		f. Fax. No.	
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	Spear Street Sundar Pichai		
		h. Number of workers employed	
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products		
The above-named employer has engaged in and is engaged (list subsections) 8(a)(3) practices are practices affecting commerce within the methe Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise state)	of the National Lab aning of the Act, or these unfair labor practices affecti	or Relations Act, and thest unfair laboring commerce within the meaning of	
notwithstanding excellent work record, and insperformance was particularly strong. Further, in the participated in the above activities. 3. Full name of party filing charge (if labor organization, g	ne past 6 months the Employer has engaged in t	uring a time frame that the work inlawful surveillance of 10,000 as 10,000 as	
(a) (b) (c) (c) 4a. Address (Street and number, city, state, and ZIP code	9)	4b. Tel. No. (b) (6), (b) (7)(C)	
(b) (6), (b) (7)(C)		4c, Cell No.	
		4d, Fax No.	
		4e, e-mail (b) (6), (b) (7)(C)	
5. Full name of national or international labor organization	n of which it is an affiliate or constituent unit (to be filled	In when charge is filed by a labor organization)	
	ARATION ove charge and that the statements	Tel. No. 415-266-1817	
fare true to the best of n	ny knowledge and belief. Laurie Burgess, Counsel	Office, if any, Cell No.	
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No. 415-266-1128	
Messing Adam & Jasmine LLP Address 235 Montgomery St., Ste 828, San France	isco, CA 94104 Date Dec 30, 2019	e-mail laurie@majlabor.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.





Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 31, 2019



901 Market Street, Suite 400

San Francisco, CA 94103-1738

REGION 20

Re: Alphabet Inc. and Google, single and joint employers
Case 20-CA-253982

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on December 30, 2019 has been docketed as case number 20-CA-253982. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not

limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Ju H. Coffman

cc: Laurie M. Burgess, Counsel
Messing Adam & Jasmine LLP
235 Montgomery Street
Suite 828
San Francisco CA 94104





REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738 Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156 Download NLRB Mobile App

December 31, 2019

Sundar Pichai, CEO Alphabet Inc. and Google 345 Spear Street San Francisco, CA 94105

Re: Alphabet Inc. and Google, single and joint employers

Case 20-CA-253982

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JILL H. COFFMAN Regional Director

Die H. Coffman

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONAL	L LABOR RELATIONS	BOARD			
QL	JESTIONNAIRE C	N COMMERCE IN	IFORMATION			
Please read carefully, answer all applicable ite	ms, and return to the NLF	B Office. If additional spa	ce is required, please add a pag	e and identify item number.		
CASE NAME				CASE NUMBER		- 1
				20-CA-253982		
1. EXACT LEGAL TITLE OF ENTITY	(As filed with State and	or stated in legal docum	neuts forming entity)			
2. TYPE OF ENTITY						
[] CORPORATION [] LLC [] I	LP [] PARTNERS	SHIP [] SOLE PROI	PRIETORSHIP [] OTHE	R (Specify)		
3. IF A CORPORATION or LLC						
A. STATE OF INCORPORATION	B. NAME, ADDRESS	S, AND RELATIONSHIP	(e.g. parent, subsidiary) OF A	LL RELATED ENTITIES		
OR FORMATION						
4. IF AN LLC OR ANY TYPE OF PART	INERSHIP, FULL NAI	ME AND ADDRESS OF	ALL MEMBERS OR PART	NERS		
5. IF A SOLE PROPRIETORSHIP, FUI	L NAME AND ADDR	ESS OF PROPRIETOR				
6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERATI	ONS (Products handled	or manufactured, or nature of s	ervices performed).		-
7. A. PRINCIPAL LOCATION:		B. BRANCH LOCATIO	INC.		_	
7. A. TRINCIPAL LOCATION.		b. BRANCH LOCATIO	7113.			
	The same of the sa				_	
8. NUMBER OF PEOPLE PRESENTLY						
A. Total:		involved in this matter:	12 MONTHS 1 1 FIGG	I VD (DV)	_	
9. DURING THE MOST RECENT (Che	ck appropriate box):	CALENDAR YR	12 MONTHS or [] FISCA	AL YK (FY dates	YES	NO
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valued in excess of \$50,000 from di \$	rectly outside your Sta	ite? II iio, indicate tile	value of any such service	es you provided.		
C. If you answered no to 9A and 9B, did	you provide service	s valued in excess of \$	50,000 to public utilities, tra	ansit systems,	- 1	
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ALPHABET INC. AND GOOGLE, SINGLE AN	ID
JOINT EMPLOYERS	

Charged Party

and

Case 20-CA-253982

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 31, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, CEO Alphabet Inc. and Google, single and joint employers 345 Spear Street San Francisco, CA 94105

December 31, 2019	Caroline Barker, Designated Agent of NLRB
Date	Name
	/s/ Caroline Barker
	Signature

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 20

GOOGLE, LLC and ALPHABET INC., a single employer

and

(b) (6), (b) (7)(C), an Individual	Cases 20-CA-252802
and	
(b) (6), (b) (7)(C), an Individual	20-CA-252902
and	
COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO	20-CA-252957
	20-CA-253105
	20-CA-253464

and

(b) (6), (b) (7)(C), an Individual

ORDER CONSOLIDATING, CONSOLIDATED COMPLAINT AND NOTICE OF HEARING

20-CA-253982

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (Board) and to avoid unnecessary costs or delay, IT IS ORDERED THAT Case 20-CA-252802 filed by (b) (6), (b) (7)(C), Case 20-CA-252902 filed by (b) (6), (b) (7)(C), Cases 20-CA-252957, 20-CA-253105, and 20-CA-253464 filed by Communications Workers of America, AFL-CIO (Union), and Case 20-CA-253982 filed by are consolidated.

This Order Consolidating Cases, Consolidated Complaint and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq., and Section 102.15 of the Board's Rules and Regulations and alleges that

Google, LLC (Google) and Alphabet Inc. (Alphabet), a single employer (Respondent), have violated the Act as described below.

- 1. (a) The charge in Case 20-CA-252802 was filed by against Google, LLC on December 3, 2019, and a copy was served on Google by U.S. mail on December 4, 2019.
- (b) A first-amended charge in Case 20-CA-252802 was filed by against Google, LLC on December 1, 2020, and a copy was served on Google by U.S. mail on December 2, 2020.
- (c) The charge in Case 20-CA-252902 was filed by against Google, LLC on December 5, 2019, and a copy was served on Google by U.S. mail on December 6, 2019.
- (d) A first-amended charge in Case 20-CA-252902 was filed by against Google, LLC on December 1, 2020, and a copy was served on Google by U.S. mail on December 2, 2020.
- (e) The charge in Case 20-CA-252957 was filed by the Union on December 5, 2019, and a copy was served on Respondent by U.S. mail on December 6, 2019.
- (f) A first-amended charge was filed in Case 20-CA-252957 by the Union on March 9, 2020, and a copy was served on Respondent by U.S. mail on March 10, 2020.
- (g) The charge in Case 20-CA-253105 was filed by the Union on December 9, 2019, and a copy was served on Respondent by U.S. mail on December 10, 2019.
- (h) The charge in Case 20-CA-253464 was filed by the Union on December 16,2019, and a copy was served on Respondent by U.S. mail on December 17, 2019.
- (i) The charge in Case 20-CA-253982 was filed by on December 30, 2019, and a copy was served on Respondent by U.S. mail on December 31, 2019.

- 2. (a) At all material times, Google, a California limited liability company with offices and places of business in Menlo Park, California, New York, New York, and elsewhere is a technology company specializing in a search-engine and other internet-related services and products.
- (b) During the twelve-month period ending October 31, 2020, Google, in conducting its business operations described above in subparagraph 2(a), derived gross revenues in excess of \$500,000.
- (c) During the period of time described above in subparagraph 2(b), Google, in conducting its business operations described above in subparagraph 2(a), purchased and received at its Menlo Park, California, office and place of business, goods valued in excess of \$5,000 directly from points outside the State of California.
- 3. (a) At all material times, Alphabet, a California corporation with its headquarter office and place of business located in Mountain View, California, is a technology conglomerate and parent holding company of Google, Waymo, and other subsidiaries.
- (b) During the twelve-month period ending October 31, 2020, Alphabet, in conducting its business operations described above in subparagraph 3(a), derived gross revenues in excess of \$500,000.
- (c) During the period of time described above in subparagraph 3(b), Alphabet, in conducting its business operations described above in subparagraph 3(a), purchased and received at its Mountain View, California, office and place of business, goods valued in excess of \$5,000 directly from points outside the State of California
- 4. (a) At all material times, Google and Alphabet have been affiliated business enterprises with common officers, ownership, directors, management, and supervision; have

formulated and administered a common labor policy; have shared common premises and facilities; have provided services for and made sales to each other; have interchanged personnel with each other; have interrelated operations with common insurance and purchasing and sales; and have held themselves out to the public as a single-integrated business enterprise.

- (b) Based on its operations described above in subparagraph 4(a), Google and Alphabet constitute a single-integrated business enterprise and a single employer within the meaning of the Act.
- 5. At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.
- 6. At all material times, the following individuals held the positions set forth opposite their respective names and have been agents of the Respondent within the meaning of Section 2(13) of the Act:

(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6). (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6). (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6). (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6). (b) (7)(C)

- 7. About September 3, 2019, and at various times thereafter, Respondent, by and (b) (6), (b) (7)(C), virtually surveilled employees protected concerted activities by, on numerous occasions, viewing an employee slide production in support of the HCL union drive. (Case 20-CA-253982)
- 8. About November 8, 2019, Respondent, by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), interrogated its employees about their protected concerted activities by asking them about accessing MemeGen Takedown Documents. (Case 20-CA-252957)
- 9. About November 13, 2019, Respondent, by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), in a Global Investigations meeting in Respondent's San Francisco facility, interrogated its employees about their protected concerted activities by asking them about their access of employees' calendars and MemeGen Takedown Documents. (Cases 20-CA-252957, 20-CA-253105, 20-CA-253464)
- 10. About December 18, 2019, Respondent, by an unnamed agent, in a meeting which included (b) (6), (b) (7)(C) , (b) (6), (b) (7)(C) , and (b) (6), (b) (7)(C) , threatened employees with unspecified reprisals by requiring employees to raise workplace concerns through official channels including Code of Conduct alias or go/my-concerns. (Case 20-CA-252802)
- 11. (a) At all material times, Respondent has maintained Data Classification Policies pertaining to accessing Need-to-Know documents.
- (b) Since about November 2019, Respondent, by (b) (6), (b) (7)(C) and (c) (6), (b) (7)(C) and (c) (7)(C) enforced the rule described above in subparagraph 11(a) selectively and disparately by applying it only against employees who engaged in protected, concerted activities. (Case 20-CA-252957)

- 12. (a) About November 2019, Respondent, by email, promulgated and has since then maintained a Calendar Access rule prohibiting employees from accessing other employees' calendars without a business purpose.
- (b) Respondent promulgated and maintained the rule described above in subparagraph 12(a) to discourage its employees from forming, joining, assisting a union or engaging in other protected, concerted activities. (Case 20-CA-252957)
- 13. (a) About October 2019, Respondent promulgated and has since then maintained a Calendar Event rule prohibiting employees from creating calendar events with more than 100 invitees or using more than 10 rooms without a business purpose.
- (b) Respondent promulgated and maintained the rule described above in subparagraph 13(a) to discourage its employees from forming, joining, assisting a union or engaging in other protected, concerted activities. (Case 20-CA-252957)
- 14. (a) About October 2019, employees (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) engaged in concerted activities with other employees for the purposes of mutual aid and protection by posting workplace concerns on MemeGen.
- (b) About early November 2019, and accessed employee accessible calendars and documents regarding the MemeGen Takedown Process.
- (c) About (b) (6), (b) (7)(C) 2019, Respondent placed on administrative leave for accessing calendars and documents regarding the MemeGen Takedown Process.
- (d) About (b) (6), (b) (7)(C) 2019, Respondent placed on administrative leave for accessing documents regarding the MemeGen Takedown Process.
- (e) About (b) (6), (b) (7)(C), 2019, Respondent terminated the employment of (b) (6), (b) (7)(C).

- (f) Respondent engaged in the conduct described above in subparagraphs 14(c), (d), and (e) because and engaged in the conduct described above in subparagraphs 14(a) and (b) and to discourage employees from engaging in these or other concerted activities. (Case 20-CA-252957)
- 15. (a) About November 23, 2019, employee (b) (6), (b) (7)(C) began writing code for a pop-up featuring an NLRB Notice from Case 32-CA-176462 that would automatically appear when an employee visited Respondent's Community Guidelines and other web pages.
- (b) About November 24, 2019, employee (b) (6), (b) (7)(C) performed a readability review for the code referenced above in subparagraph 15(a).
- (c) About November 25, 2019, employee (b) (6), (b) (7)(C) performed a readability review for the code referenced above in subparagraph 15(a).
- (d) About (b) (6), (b) (7)(C) 2019, Respondent placed (b) (6), (b) (7)(C) on Administrative Leave. (Cases 20-CA-253105 and 20-CA-253464)
- (e) About November 26, 2019, Respondent turned off employee (b) (6), (b) (7)(C) cell phone service. (Case 20-CA-252902)
- (f) About (b) (6), (b) (7)(C) 2019, Respondent placed employees (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) on administrative leave. (Cases 20-CA-252802 and 20-CA-252902)
- (g) About (b) (6), (b) (7)(C), 2019, Respondent issued employee (b) (6), (b) (7)(C) a final written warning. (Case 20-CA-252902)
- (h) About (b) (6), (b) (7)(C), 2018, Respondent counseled (b) (6), (b) (7)(C) and placed on a 6-month readability review. (Case 20-CA-252802)
- (i) About (b) (6), (b) (7)(C), 2019, Respondent terminated the employment of (b) (6), (b) (7)(C). (Case 20-CA-253464)

- (j) Respondent engaged in the conduct described above in subparagraphs 15(e) through 15(h) because (and (c) and (discourage employees from engaging in these or other concerted activities. (Cases 20-CA-252802 and 20-CA-252902)
- (k) Respondent engaged in the conduct described above in subparagraphs 15(d) and (i) because engaged in the conduct described above in subparagraph 15(a) and to discourage employees from engaging in these or other concerted activities. (Case 20-CA-253464)
- 16. By the conduct described above in paragraphs 7 through 15, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act.
- 17. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the Consolidated Complaint. The answer must be **received by this office on or before December 16, 2020**. Respondent also must serve a copy of the answer on each of the other parties.

The answer must be filed electronically through the Agency's website. To file electronically, go to www.nlrb.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to

receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time)

on the due date for filing, a failure to timely file the answer will not be excused on the basis that

the transmission could not be accomplished because the Agency's website was off-line or

unavailable for some other reason. The Board's Rules and Regulations require that an answer be

signed by counsel or non-attorney representative for represented parties or by the party if not

represented. See Section 102.21. If the answer being filed electronically is a pdf document

containing the required signature, no paper copies of the answer need to be transmitted to the

Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file

containing the required signature, then the E-filing rules require that such answer containing the

required signature continue to be submitted to the Regional Office by traditional means within

three (3) business days after the date of electronic filing. Service of the answer on each of the

other parties must still be accomplished by means allowed under the Board's Rules and

Regulations. The answer may not be filed by facsimile transmission.

If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a

Motion for Default Judgment, that the allegations in the Consolidated Complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on **April 12, 2021, at 9:00 a.m.**, and on consecutive days

thereafter until concluded, a hearing will be conducted before an administrative law judge of the

National Labor Relations Board at 901 Market Street, Suite 400, San Francisco, California, or

method or means, including videoconference, directed by the Administrative Law Judge. At the

hearing, Respondent and any other party to this proceeding have the right to appear and present

testimony regarding the allegations in this Consolidated Complaint. The procedures to be followed

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Order Consolidating, Consolidated Complaint and Notice of Hearing Cases 20-CA-252802, et al

at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: December 2, 2020

JILL H. COFFMAN

REGIONAL DIRECTOR

NATIONAL LABOR RELATIONS BOARD

REGION 20

901 Market Street, Suite 400

San Francisco, CA 94103-1738

Die H. Coffman

Attachments

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD NOTICE

Cases 20-CA-252802, 20-CA-252902, 20-CA-252957, 20-CA-253105, 20-CA-253464 and 20-CA-253982

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

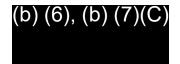
An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements *will not be granted* unless good and sufficient grounds are shown *and* the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in *detail*;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

Eileen Naughton Google Inc. 345 Spear Street San Francisco, CA 94105

Sara Kalis, Attorney Paul Hastings LLP 200 Park Avenue New York, NY 10166



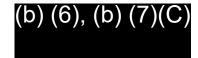
Eileen Naughton Google Inc. 1600 Amphitheater Parkway Mountain View, CA 94043

Brian Hayes, Attorney Paul Hastings LLP 200 Park Avenue New York, NY 10166

Laurie M. Burgess, Counsel Messing Adam & Jasmine LLP 235 Montgomery Street Suite 828 San Francisco, CA 94104 FORM NLRB 4338 (6-90)



Jennifer Abruzzo Communications Workers of America (CWA), AFL-CIO 501 Third St NW, Ste 800 Washington, DC 20001-2797 Sundar Pichai, CEO Google, LLC and Alphabet Inc., a single employer 345 Spear Street San Francisco, CA 94105



Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative**. If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www nlrb.gov/sites/default/files/attachments/basic-page/node-1717/rules and regs part 102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www nlrb.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- Special Needs: If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- Pre-hearing Conference: One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- Witnesses and Evidence: At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- Exhibits: Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility

of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- Transcripts: An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- Oral Argument: You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- <u>Date for Filing Post-Hearing Brief</u>: Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- Extension of Time for Filing Brief with the ALJ: If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- ALJ's Decision: In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- Exceptions to the ALJ's Decision: The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 20 901 Market Street, Suite 400 San Francisco, CA 94103-1738

Agency Website: www.nlrb.gov Telephone: (415)356-5130 Fax: (415)356-5156

December 2, 2020

Laurie M. Burgess, Counsel Messing Adam & Jasmine LLP 235 Montgomery Street Suite 828 San Francisco, CA 94104

Re: Alphabet, Inc. and Google, Inc., a single

employer

Cases 20-CA-252802

20-CA-252902

20-CA-252957

20-CA-253105

20-CA-253249

20-CA-253464

20-CA-253982

Dear Ms. Burgess:

We have carefully investigated and considered your client's charges alleging that Alphabet, Inc. and Google Inc., a single employer, (the Employer) has violated the National Labor Relations Act. Based upon that investigation, I have decided to dismiss the charge in 20-CA-253249 in its entirety and to dismiss portions of the other charges as described below. The remaining portions of the charges in Cases 20-CA-252802, 20-CA-252902, 20-CA-252957, 20-CA-253105, 20-CA-253464 and 20-CA-253982 will be subject to further proceedings and are included in a Consolidated Complaint issued this same day.

Decision to Partially Dismiss 20-CA-252802. Based on the Region's investigation, I have decided to dismiss the portion of the charge in Case 20-CA-252802 alleging that the Employer unlawfully interrogated employees about the NLRB Pop-Up because the Employer was entitled to ask employees limited questions to determine if their conduct lost the protection of the Act and the Employer's questioning did not go beyond that. I am also dismissing the portion of the charge alleging that Google interrogated employees about Always-Ask-Kent (also alleged in 20-CA-252902, 20-CA-253105 and 20-CA-253464) because the conduct about which the Employer was questioning employees was conduct not protected by the Act in that the conduct exceeded the wide-latitude with which employees are permitted to utilize an employer's network because it could have resulted in an egregious disruption of work. *Trico Industries*, 283

¹ To the extent that the charges in Cases 20-CA-253105, 20-CA-253249, 20-CA-253464 and 20-CA-253982 allege that Alphabet, Inc. and Google, Inc. are joint employers, or that the CEO or Board Members of those companies should be named as charged parties, I am dismissing those portions of the charges because the joint employer analysis is inappropriate in these circumstances and because there is no need to name corporate officers or board members in a complaint.

NLRB 848, 852 (1987). Finally, I am also dismissing the portion of the charge that the Employer unlawfully created an impression of surveillance when (b) (6), (b) (7)(C) asked an employee for name while was handing out fliers because there was insufficient evidence to establish the (b) (6), (b) (7)(C)

The remaining allegations raised by the charge remain subject to further proceedings: namely, that the Employer violated Section 8(a)(1) of the Act by placing employee on Administrative Leave, counseling and placing on a six-month readability review, and by telling employees that Google expected workplace concerns to be raised through the Employer's designated processes (go/my-concerns or the Code of Conduct alias).

Decision to Partially Dismiss 20-CA-252902. Based on the Region's investigation, I have decided to dismiss the portion of the charge in Case 20-CA-252902 alleging the Employer violated the Act by creating an impression of surveillance (see above). I have also found that a comment made to an employee during an investigatory interview, to the effect that the Employer knew the employee was "passionate," did not violate Section 8(a)(1) because such a comment would not reasonably create an impression that the Employer was surveilling the employee's protected, concerted activities.

The remaining allegations raised by the charge remain subject to further proceedings: namely, that the Employer violated Section 8(a)(1) of the Act by placing employee on administrative leave (including disconnecting work cell phone) and issuing a final written warning.

Decision to Partially Dismiss in 20-CA-252957. Based on the Region's investigation, I have decided to dismiss the following portions of this charge:

The charge alleges, in part, that the Employer violated Section 8(a)(1) of the Act by promulgating its Data Classification/Protection Policies in response to employees' protected, concerted activities. The investigation established that the Employer promulgated and revised these policies, and announced the revisions to employees, more than six months prior to the filing of the charge; thus I am dismissing this allegation based on Section 10(b) of the Act which provides that complaint cannot issue on conduct that occurred more than six months prior to the filing of a charge. More specifically, the revisions were announced to employees by email dated May 9, 2019, and this charge was filed on December 5, 2019.

This charge (and the charge in 20-CA-253105) also alleges that the Employer's Community Guidelines are violative of Section 8(a)(1) of the Act because (1) the Guidelines are alleged to have been promulgated in response to employees' protected, concerted activities; (2) the Guidelines are alleged to be facially overbroad so as to chill employees in the exercise of their Section 7 rights; and (3) the Guidelines are alleged to have been discriminatorily enforced by applying them to employees' protected, concerted activities. I am dismissing this allegation because (1) the investigation uncovered insufficient evidence to establish that the Guidelines were promulgated in response to employees' protected, concerted activities (indeed, at the time the Guidelines were issued, employees were engaged in widespread unprotected, as well as

protected, concerted activities); (2) though the Guidelines direct employees to "Avoid conversations that are disruptive to the workplace . .", the Guidelines include a savings clause which makes clear that nothing in the Guidelines are meant to prohibit employees from discussing terms and conditions of employment; and (3) the investigation uncovered insufficient evidence that the Employer applied the Guidelines in a discriminatory manner.

The charge also alleges that the Employer violated Sections 8(a)(1) and (3) of the Act by terminating the employment of employees (b) (6), (b) (7)(C) because they engaged in protected, concerted activities. I am dismissing this charge allegation because the activities for which these employees were terminated (accessing Employer documents to research and support a petition to protest the Employer's work for a federal government agency (Petition)) did not involve employees' terms and conditions employment; thus the employees' activities in connection with the Petition were not protected by Section 7 of the Act. Because this activity was unprotected, I am also dismissing those portions of the charge alleging that the Employer's questioning of employees about the Petition constituted an unlawful interrogation and alleging that the Employer's removal of an employee's Petition-related Dory question was unlawful. I have also concluded that, although (b) (6), (b) (7)(C) engaged in other activity which was protected by the Act, the Employer met its burden under Wright Line to establish that it would have terminated them for their conduct relating to the Petition alone, even absent other union or other protected, concerted activity. Moreover, there is insufficient evidence to show that the Employer's decision to terminate (b) (6), (b) (7)(C) was motivated because of employees' activities on behalf of a union; therefore, I am dismissing the portion of the charge alleging the Employer violated Section 8(a)(3).

I am dismissing the portion of the charge alleging that the Employer violated Section 8(a)(3) of the Act by terminating employee because there is insufficient evidence that the Employer's conduct was motivated by (b)(6),(b)(7)(G) union activities.

The remaining allegations that the Employer violated Section 8(a)(1) of the Act by: promulgating a Calendar Access rule and a Calendar Event Rule in response to employees' protected, concerted activities; discriminatorily enforcing its Data Classification Policy (also alleged in 20-CA-253105) by applying it to employee in connection with protected, concerted activities (related to the Employer's process for deciding to remove memes); placing employees (b) (6), (b) (7)(C) on Administrative Leave; and terminating in retaliation for protected concerted activities, remain subject to further proceedings.

Decision to Partially Dismiss 20-CA-253105 and 20-CA-253464: I have decided to dismiss the allegation in 20-CA-253105 alleging an interrogation regarding the NLRB Pop-Ups because the Employer was entitled to ask the employees limited questions to determine whether

their conduct lost protection of the Act and the Employer's questioning did not go beyond lawful bounds. I am also dismissing the portion of these charges which allege the Employer violated 8(a)(3) of the Act because there is insufficient evidence that the Employer terminated employee because of union activities.

The remaining allegations in 20-CA-253105 and 20-CA-253464 -- that the Employer violated Section 8(a)(1) of the Act by placing employee on administrative leave and subsequently terminating employment because of protected, concerted activity related to an NLRB Pop-Up -- remains subject to further processing.

Decision to Fully Dismiss 20-CA-253249: Based on the Region's investigation, I have decided to dismiss this charge which alleges that the Employer violated Section 8(a)(1) of the Act by surveilling the protected concerted activity of twenty employees who accompanied a coworker to an investigative interview. The evidence was insufficient to establish that the Employer representative's asking the employees to identify themselves was unusual or otherwise coercive. Regarding the allegation that the Employer unlawfully interrogated employees who remained in the interview after the Employer representative asked them to leave, that conduct was not protected by the Act. In these circumstances, the Employer did not unlawfully surveil or interrogate the employees who remained by asking them their names.

Decision to Partially Dismiss 20-CA-253982: Based on the Region's investigation, I have decided to dismiss the allegation that the Employer violated Section 8(a)(1) and (3) of the Act by denying employee a promotion because of union and protected, concerted activities. The investigation established that the Employer met its *Wright Line* burden of establishing that promotion was denied for work-related reasons unrelated to any union or other protected, concerted activity.

The remaining allegation, that the Employer violated Section 8(a)(1) by surveilling employees when managers repeatedly accessed and viewed a Google Slide presentation prepared by employees in support of an organizing campaign at HCL Technology, remains subject to further processing.

Charging Party's Right to Appeal: The Charging Parties may appeal my decisions to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See User Guide. A video demonstration which provides step-by-step instructions and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the

National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on December 16, 2020. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than December 15, 2020. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before December 16, 2020.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after December 16, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

JILL H. COFFMAN Regional Director

Die H. Coffman

Enclosure

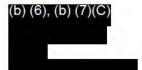
Cases 20-CA-252802, et al

cc: Eileen Naughton, Employer

Representative Google Inc. 345 Spear Street San Francisco, CA 94105

Sara Kalis, Attorney Paul Hastings LLP 200 Park Ave New York, NY 10166-0005

Brian Hayes Paul Hastings LLP 200 Park Avenue New York, NY 10166



Eileen Naughton Google Inc. 1600 Amphitheater Parkway Mountain View, CA 94043

Jennifer Abruzzo Communications Workers of America (CWA), AFL-CIO 501 Third St NW, Ste 800 Washington, DC 20001-2797

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel	Date:			
Attn: Office of Appeals				
National Labor Relations Board				
1015 Half Street SE				
Washington, DC 20570-0001				
Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in				
Case Name(s).				
Case No(s). (If more than one case number, inctaken.)	clude all case numbers in which appeal is			
	(Signature)			

E-FILING TO APPEALS

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is
 received
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- 4. **Correspondence**: Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. **Position Statement**: The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.

• This document should be e-Filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.

	Extension of Time Request 1
+	File an Appeal 6
	Notice of Appearance 1
	Position Statement 6
+	Withdrawal Request 6
	Correspondence

7. The selections of **Evidence** or **Other** should no longer be used.

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

December 11, 2020

LAURIE M. BURGESS, ESQ. MESSING ADAM & JASMINE LLP 235 MONTGOMERY ST STE 828 SAN FRANCISCO, CA 94104

Re: Google, LLC and Alphabet Inc., a single

employer

Cases 20-CA-252802 20-CA-252902 20-CA-252957 20-CA-253105 20-CA-253249

> 20-CA-253464 20-CA-253982

Dear Ms. Burgess:

We are granting your request for an extension of time to file an appeal only to January 11, 2021. As fully explained in the Region's dismissal letter, you **must file** your appeal electronically. If you cannot file electronically, unless already provided to the Region, please provide a written statement explaining why electronic submission is not possible or feasible. With your appeal, you are encouraged to also submit a complete statement of the facts and reasons why you believe the decision was incorrect. **Do not fax or email your appeal**. The Office of Appeals will not process faxed or emailed appeals.

Instructions on how to file your appeal electronically through the Agency's e-filing system can be found on the Agency's website www.nlrb.gov. If you choose to e-file your appeal, remember to allow enough time to complete the e-filing process by 11:59 pm (E.T.) on January 11, 2021. Otherwise, your appeal will be late.

- 1) Click on E-File documents;
- 2) Enter your NLRB Case Number; and,
- 3) Follow the detailed instructions.

If you cannot file your appeal electronically, please send the appeal and your written explanation of why you cannot file electronically to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to the Regional Director. Your appeal will be timely if it is postmarked or given to a delivery service no later than January 10, 2021. If your appeal is postmarked or given to a delivery service on the due date or

after, this office will reject it as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington, D.C. by 5:00 p.m. E.T. on the appeal due date.

Sincerely,

Peter Barr Robb General Counsel

Mark E. Abestell

By:

Mark E. Arbesfeld, Director Office of Appeals

ce: JILL H. COFFMAN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
901 MARKET ST STE 400
SAN FRANCISCO, CA 94103-1738

BRIAN HAYES, ESQ. PAUL HASTINGS LLP 200 PARK AVE NEW YORK, NY 10166

SARA KALIS, ESQ. PAUL HASTINGS LLP 200 PARK AVE NEW YORK, NY 10166 EILEEN NAUGHTON EMPLOYER REPRESENTATIVE GOOGLE INC. 345 SPEAR ST SAN FRANCISCO, CA 94105

EILEEN NAUGHTON GOOGLE INC. 1600 AMPHITHEATER PARKWAY MOUNTAIN VIEW, CA 94043 JENNIFER ABRUZZO, ESQ. COMMUNICATIONS WORKERS OF AMERICA (CWA), AFL-CIO 501 THIRD ST NW, STE 800 WASHINGTON, DC 20001-2797

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 20

GOOGLE, LLC and ALPHABET INC., a single employer,

Respondents,

and

(b) (6), (b) (7)(C), an Individual,

Case Nos.: 20-CA-252802

Charging Party,

and

(b) (6), (b) (7)(C), an Individual,

20-CA-252902

Charging Party,

and

COMMUNICATION WORKERS OF AMERICA, AFL-CIO,

20-CA-252957

20-CA-253105

Charging Party,

20-CA-253464

and

(b) (6), (b) (7)(C), an Individual,

20-CA-253982

Charging Party.

ANSWER TO CONSOLIDATED COMPLAINT

Google, LLC and Alphabet, Inc. (collectively "Respondents"), answer the allegations in the Consolidated Complaint ("Consolidated Complaint") dated December 2, 2020, and assert their Affirmative Defenses, as follows:

- 1. In answering paragraph 1 of the Consolidated Complaint:
 - (a) Admit;

(b)	Deny on the ground that the first amended charge in Case No. 20-CA-	
	252802 has not been received;	
(c)	Admit;	
(d)	Deny on the ground that the first amended charge in Case No. 20-CA-	
	252902 has not been received;	
(e)	Admit;	
(f)	Admit;	
(g)	Admit;	
(h)	Admit;	
(i)	Admit.	
In answering paragraph 2 of the Consolidated Complaint:		
(a)	Deny on the ground that Respondents' headquarters are in Mountain	
	View, not Menlo Park, California;	
(b)	Admit;	
(c)	Deny on the ground that Respondents' headquarters are in Mountain	
	View, not Menlo Park, California.	
In answering paragraph 3 of the Consolidated Complaint:		
(a)	Admit;	
(b)	Admit;	
(c)	Admit.	
In answering paragraph 4 of the Consolidated Complaint:		
(a)	Admit that, for the purposes of this Consolidated Complaint, Respondents	
	are a single employer. Except as expressly admitted, deny;	

2.

3.

4.

	(b)	Admit that, for the purposes of this Consolidated Complaint, Respondents	
		are a single employer. Except as expressly admitted, deny.	
5.	Admit.		
6.	Admit	the identified individuals were or are still employed with Respondents,	
commencing of	on and a	fter November 1, 2019. Except as expressly admitted, deny.	
7.	Deny.		
8.	Deny.		
9.	Admit	that on or about November 13, 2019, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)	
asked an emp	loyee q	uestions about "access of employees' calendars and MemeGen Takedown	
Documents."	Except	as expressly admitted, deny.	
10.	Deny.		
11.	In ansv	vering paragraph 11 of the Consolidated Complaint:	
	(a)	Admit;	
	(b)	Deny.	
12.	In ansv	vering paragraph 12 of the Consolidated Complaint:	
	(a)	Deny;	
	(b)	Deny.	
13.	In answ	vering paragraph 13 of the Consolidated Complaint, Respondents state that:	
	(a)	Deny;	
	(b)	Deny.	
14.	In ansv	vering paragraph 14 of the Consolidated Complaint, Respondents state that:	

(a)

Deny;

- (b) Admit (b) (6) (b) (7) (c) "accessed employee accessible calendars and documents regarding the MemeGen Takedown Process." Except as expressly admitted, deny;
- (c) Admit was "placed on administrative leave." Except as expressly admitted, deny;
- (d) Admit was "placed on administrative leave." Except as expressly admitted, deny;
- (e) Admit;
- (f) Deny.
- 15. In answering paragraph 15 of the Consolidated Complaint, Respondents state that:
 - (a) Admit (b) (6), (b) (7)(C) wrote "code for a pop-up featuring an NLRB Notice from Case 32-CA-176462 that would automatically appear when an employee visited Respondent's Community Guidelines and other web pages." Except as expressly admitted, deny;
 - (b) Admit;
 - (c) Admit;
 - (d) Admit;
 - (e) Admit;
 - (f) Admit;
 - (g) Admit;
 - (h) Admit "Respondent counseled (b) (6), (b) (7)(C) and placed on a 6-month readability review." Deny this occurred on or about (b) (6), (b) (7)(C), 2018;

- (i) Admit;
- (j) Deny;
- (k) Deny.
- 16. Deny.
- 17. Deny.

AFFIRMATIVE DEFENSES

- 1. The conduct alleged in the Consolidated Complaint was not protected by the Act and, even if it was, the conduct lost any protection it might have otherwise had under the Act.
- 2. The discipline alleged in the Consolidated Complaint was warranted by violations of Respondents' policies, such as Google's Code of Conduct and Standards of Conduct policies, the validity of which are not at issue.
- 3. Respondents acted lawfully to maintain a work environment that is free of unlawful discrimination, harassment and bias.
- 4. Respondents deny any discipline alleged in the Consolidated Complaint was in whole or in part for protected conduct, but the same discipline would have been imposed even in the absence of protected conduct, and was based on legitimate business reasons and not discriminatory or retaliatory animus.

WHEREFORE, Respondents respectfully request the following relief:

- 1. Judgment be entered dismissing the Consolidated Complaint on the merits and with prejudice in its entirety; and
 - 2. Directing such other relief as the Board deems just and equitable.

DATED: December 16, 2020

Respectfully submitted, PAUL HASTINGS LLP CAMERON W. FOX J. AL LATHAM, JR. SARA B. KALIS ERIC DISTELBURGER BRIAN HAYES

By: _____

SARA B. KALIS
PAUL HASTINGS LLP
200 Park Ave.
New York, NY 10166
sarakalis@paulhastings.com

Attorneys for Respondents GOOGLE, LLC and ALPHABET INC.

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 20

GOOGLE, LLC and ALPHABET INC., a single employer,

Respondents,

and

(b) (6), (b) (7)(C), an Individual,

Case Nos.: 20-CA-252802

Charging Party,

and

(b) (6), (b) (7)(C), an Individual,

20-CA-252902

Charging Party,

and

COMMUNICATION WORKERS OF AMERICA, AFL-CIO,

20-CA-252957

Charging Party,

20-CA-253105

20-CA-253464

and

(b) (6), (b) (7)(C), an Individual,

20-CA-253982

Charging Party.

CERTIFICATE OF SERVICE

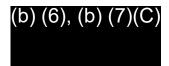
I hereby certify that on the 16th day of December, 2020, I electronically filed the foregoing **ANSWER TO CONSOLIDATED COMPLAINT** with the National Labor Relations Board using the agency's website (www.nlrb.gov). I also certify that I have served said

ANSWER TO CONSOLIDATED COMPLAINT via e-mail, where available, and U.S. Mail

to the following party to this action:

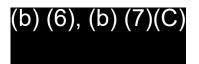


Laurie M. Burgess, Counsel Messing Adam & Jasmine LLP 235 Montgomery Street Suite 828 San Francisco, CA 94104 laurie@majlabor.com



Jennifer Abruzzo Communications Workers of America (CWA), AFL-CIO 501 Third St NW, Ste 800 Washington, DC 20001-2797 jabruzzo@cwa-union.org

AFL-CIO Lawyers Coordinating Committee 501 Third St NW, Ste 800 Washington, DC 20001-2797



David Rosenfeld Weinberg Roger and Rosenfeld 1001 Marine Village Parkway Suite 200 Alameda, CA 94501

Ellen West Domonique Thomas Communications Workers of America, AFL-CIO, District 9 12215 Telegraph Road Suite 210 Santa Fe Springs, CA 90670 Frank Arce CWA District 9 2804 Gateway Oaks Drive, Suite 150 Sacramento, CA 95833-4324

DATED: December 16, 2020

Respectfully submitted, PAUL HASTINGS LLP CAMERON W. FOX J. AL LATHAM, JR. SARA B. KALIS ERIC DISTELBURGER BRIAN HAYES

By: _____

SARA B. KALIS
PAUL HASTINGS LLP
200 Park Ave.
New York, NY 10166
sarakalis@paulhastings.com

Attorneys for Respondents GOOGLE, LLC and ALPHABET INC.